

PANEL OF CHAIRMEN.

PRESIDENT: Under Rule 3 (2) of the Travancore Legislative Rules, I have nominated Messrs. A. Thanu Pillai and K. C. Karunakaran as the Panel of Chairmen for the Seventh Session.

LEGISLATIVE BUSINESS.

PRESIDENT: We now proceed to Legislative Business. The first item is the first reading of the Travancore Factories Bill.

THE TRAVANCORE FACTORIES BILL.

PRESIDENT: I may remind Honourable Members that some discussion has already taken place on this Bill and a certain number of gentlemen have already spoken. I may remind them of the fact that they have already spoken and that they will not be permitted to speak again. The members who have already spoken are:

Mr. K. C. Karunakaran,
 „ K. Kunjukrishna Pillai,
 „ M. N. Nair,
 „ K. R. Elenkath,
 „ A. S. Damodaran Asan,
 „ G. Nilakantan,
 „ N. John Joseph, and
 „ J. W. Tolson.

Now the discussion will be resumed.

SADASYA TILAKAN T. K. VELU PILLAI (*Trivandrum-Urban*): I rise to support the Bill. This piece of legislation has been long over-due. The condition of the labouring classes in Travancore is quite as bad as that of the agricultural classes. The employers' interests should certainly be protected. But a Regulation is necessary in order to prevent the strong employer from taking advantage of the weakness of the labourers. I do not suggest for a moment that all employers are hard-hearted or that they are not responsive to any demands made by the employees. But unless there is a law, there will be no means of preventing some amount of hardship; for, unorganised labour is generally helpless. Hardships existed before the Trade Unions came into existence in the west. They were able to take undue advantage of their wealth. But such things have changed because the State has developed and its police powers have extended during the last several years. Competition is a bigger question, for there is no means of preventing an unhealthy operation of that sometimes unhealthy rule. Therefore I congratulate the Government in having come forward with this conciliatory measure.

MR. E. V. KRISHNA PILLAI (*Pattanamittu*): What is the kind of mischief which the member thinks the Bill seeks to remedy?

SADASYA TILAKAN T. K. VELU PILLAI (*Trivandrum—Urban*): There are employees who are obliged to work more than 12 hours a day. I have come across instances in which the same men, I do not say the

[Sadasya Tilakan T. K. Velu Pillai]

same women, work during the day and a considerable portion of the night. There is then what is called the 'truck' system or a system by which the employers keep provisions ready to be supplied to labourers at arbitrary prices. When the labourer is unable to keep regular accounts as contemplated in Section 32 of the Evidence Act in regular course of business and when the labourers want rice, a little salt or a few chillies every week, the employer, though he may be a good man, may not be able to command the services of subordinates who will be scrupulously honest. The result is that ultimately much injury is done at the end of the month to the employees and there are firms where payment is made only once every month. I know cases in which teachers were being asked to sign acquittance rolls for Rs. 30 or Rs. 35 in the aided schools while actually they were paid Rs. 20 or Rs. 25. If that is possible in educational institutions with a staff composed of educated persons who are presumed to be able to take care of their own interests, it is very much more possible with the humble employees who have no organisation and who are at the mercy of the employers.

Then there is the necessity for sanitary arrangements in the factories. Simply because two or four persons work in a place, I certainly do not advocate any legislation to regulate that place. Of course, I do not want to cast any reflection upon the employers, but it is certainly necessary that we should try our best to protect the interests of the labourers, for the safety of the State requires that the labourer should be housed, fed and sanitary arrangements provided for him. Otherwise the position of any country is something like a vineyard on the crater of a volcano. I am not afraid of any political revolutions in that direction, for the law will be able to deal with them. But we should see that there should not be any unpleasant relationship which ultimately results in permanent trouble. There is again, Sir, the fact that the more comfortable the labourer is, the greater will be the benefit to the employer himself as also to the State. As a student of history, Sir, I may tell the House that the old *latifundia* or slave labour, though it was considered to be cheap in Rome, had to be given up because the cheapest labour was recognised to be the costliest labour. It is not to help the labourers alone that I am advocating this measure but to improve the permanent position of the employers as well. The employers may be good business-men, but all of them will not be able to take a proper view because it may temporarily affect their profits. Regulation will ultimately benefit them. Therefore, Sir, in the interests of the labouring class, in the interests of the employers, and in the more important interests of the State, I advocate this measure and I congratulate the Government for having brought forward such a piece of legislation.

Ma. E. V. KRISHNA PILLAI (*Pattanamtila*): Is it the member's apprehension that the proprietors of small industrial concerns in Travancore can satisfy the elaborate demands made in the Bill and yet successfully compete with large-scale European proprietors?

SADASYA TILAKAN T. K. VELU PILLAI (*Trivandrum—Urban*): Sir, with regard to the economic question, I am one who is not prepared to erect ramparts and fortifications against goods being imported into Travancore in such cases where it is not possible for us to manufacture them ourselves. With regard to the question put by Mr. E. V. Krishna Pillai, my answer is that, so long as our country remains the same, so long as England and France cannot get all the raw materials necessary for them, so long as labour is very much cheaper here and things have to be paid for when carried in steamers, we shall be able to produce all commodities at a cheaper rate. I may also tell Mr. Krishna Pillai and the House that it is not my purpose to throw any obstacles in the way of production. The measure is intended in the interests of both parties and the State.

Mr. K. C. KARUNAKARAN (*Nominated*): May I know whether the statement made by the member about the truck system and more than 12 hours work, is based on actual facts collected or upon mere hearsay?

SADASYA TILAKAN T. K. VELU PILLAI (*Trivandrum—Urban*): Mr. Karunakaran will bear with me when I say that I am not likely to make a statement unless I know things. I can distinguish between facts which are hearsay and those which are not hearsay. I assure my friend that the statement was made from actual knowledge. All the factories are not like that; but I know a few of them are very much like that.

Mr. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, I oppose the introduction of this Bill at present. I have the greatest sympathy for the workmen, but the introduction of this Bill is premature. We all know that Travancore is still purely an agricultural country. True, we have got some small factories budding up here and there but they cannot be called factories in the strict sense of the term. Excepting a few European-owned factories, all the others cannot be included under the term factories as described in this Bill. If this legislation is brought into effect, I am sure that many of the factories will be nipped in the bud. That is to say, they are not in a position to satisfy the rules and conditions laid down in this Bill. Therefore my first point is that the Bill is introduced too early.

Much has been spoken against the 'truck' system now. The late Mr. M. N. Nair exposed correctly the working of the system. I do not think there is much truth in what is spoken here now of this system. It is all highly exaggerated. The position is this, Sir. Many of these small factories have not got big working capital. Whenever the products of these factories accumulate and before they are sold out, the owners find it difficult to carry on the business. At the same time, the labourers themselves are not willing to go without work, because it will be impossible for them to take up any other work for the time being and because also the owners are not in a position to pay wages. What the coolies generally do is to go and seek the help of neighbouring merchants. But when once they fall into the hands

[Mr. K. M. Kuriakose.]

of the neighbouring merchants, the latter will try all that is in their power to advance them goods to their own interests. That will be highly detrimental to the labourers themselves, because the merchants will be charging very high prices. So, in many cases, what the factory owner does is, on the security of the goods produced in the factory, he will arrange with the shopkeeper to advance goods to the labourers and the payment will be made by the employer immediately after the goods are sold. So that the responsibility of paying the shop-keeper is taken up directly by the factory-owner himself. The labourers thereby are saved from the difficulty of directly dealing with the avaricious merchants. In the large majority of cases, this is the actual situation.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member to which provision of the Bill he refers when he says that it will be detrimental to the labouring classes?

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, I was referring only to the 'truck' system because it was referred to by my predecessors. The system is advantageous both to the labourer and to the employer in times of financial stringency.

SADASYA TILAKAN T. K. VELU PILLAI (*Trivandrum-Urban*): Does it mean any hardship to the labourer?

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Not very appreciable. The factory-owner is not in a position to pay the labourers in cash, because he has not any big working capital. Of course, if he had money, it would have been better if the labourers were paid in cash; but better pay in kind than not pay in cash at all.

Sir, if this Bill is brought into effect immediately, I think the very purpose for which it is introduced will be frustrated, viz, the advancement of industry in Travancore. With these words I oppose the introduction of the Bill now and request the Law Member to postpone the same for some years to come when Travancore can proudly take rank as an industrial country.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Sir, I have great pleasure in supporting the principle of the Bill. We are now only in the first stage of the Bill and therefore are concerned only with the principle and not with the various details of the Bill. The details may be examined by the Select Committee and re-examined when the Bill will come up again for consideration by this House at the second reading. If then any provisions are found to work hardship on the employer or labourer, they may be altered. All that has been attempted by the Law Member now is to bring the factory legislation into line with that now existing in British India. The conditions of labour in Travancore cannot be said to be essentially different from those obtaining in British India. This is as it should be; for whatever advantages are enjoyed by the British Indian labourer in the British Indian factories the Travancore labourer is equally entitled to. The Bill under consideration is designed merely to bring about

this happy result. As far as I have been able to read the public pronouncements of people entitled to speak on this subject, I have not found really any objection to the principle of the Bill. I have been reading, for instance, the speech of Mr. Haydon, the Chairman of the Chamber of Commerce in Alleppey and he generally approves of the principle of the Bill. He says :

"In regard to the four Bills involving the interests of employers and employees, having studied these, I think, it will be found that, for the most part, we shall be in a position to support the Bills subject to certain minor amendments and subject to an assurance from Government that the various Acts, when passed, will be administered by men of experience and of exemplary character..... To give one indication of the type of amendment I should certainly regard as essential, I will refer to the Factory Regulation wherein it is provided that every District Magistrate shall be an Inspector for his District."

But these minor matters, as I have already said, might be threshed out at the Select Committee stage as well as at the second reading of the Bill before this House; and therefore I would submit that at this stage when we are merely dealing with the general principle, these points need not be elaborately discussed. My opinion therefore is that we now affirm the general principle of the Bill and refer it to a Select Committee which will carefully examine the details.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : Sir, I support the principle of the Bill. The law in force in Travancore is nearly twenty-two years old and during the interval several changes have taken place in labour legislation in British India. In the course of the last twenty years, generally speaking, Travancore has been advancing in industrial undertakings and we are fast being industrialised in certain directions. So it is only in the fitness of things that some kind of labour legislation is undertaken. Moreover, we are seeing the growth of strained relations between the factory-owners and the labourers. Before the relationship becomes more strained, the best policy would be to bring in legislation so that the gulf that is already existing between the capitalists and labourers may be bridged, as far as possible. But at the same time we must be careful to see that provisions are made to foster the newly started factories in mofussil parts such as Shertala and other places. There we see recently, with the development of means of communication, small factories springing up employing 50 or 70 or 100 labourers in each. In the large majority of cases, they borrow capital with very little of reserve fund. If the provisions of modern labour legislation are made applicable to those factories, such legislation may practically kill those industries. At the same time, the general principle of the Bill should be accepted. The details can be threshed out in the Select Committee. With these observations, I support the motion.

MR. M. L. JANARDANAN PILLAI (*Co-opted*) : I thank the Government for having given the employers an opportunity to represent their viewpoints also in regard to this Bill. I think this is one of the most important legislative measures that have been ever introduced. The results of such a measure are likely to be very far-reaching in their character;

Mr. M. L. Janardanan Pillai.]

and therefore a good deal of caution has to be exercised both by the Legislature and by the Government before they embark on this step. It has been pointed out in this House that a great deal of cry has been heard from the labour population and that all has not been well with them. Analysing the conditions of industry in this country, I find that the biggest industries, which represent about 70 per cent of the total industrial population of the country, are tea, rubber and cardamom. The next important industry is the cashewnut industry which employs about 7 per cent. and the coir mats and matting industry which comes next and employs about 6.9 per cent. There are a number of small industrial concerns in South Travancore. There are a number of factories manufacturing rubber all over the hills area. There is also the Paper Mill at Punalore and tile factories in North Travancore. But I do not think you have ever heard a representation from the labour community in any of those places that they are being treated harshly, that conditions are not well with them and that they are suffering terribly under the cruel yoke of the capitalists. No such thing has been brought to the notice of this House, so far as I am aware.

MR. M. SIVATANU PILLI (*Tovala*): May I know from the member whether labour is so organised as to have its voice felt by Government?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): I am told that there are organised Labour Associations in Travancore and interpellations have been asked why such associations are not granted recognition by Government. What I beg to point out is that all this agitation has been concentrated round about two centres, namely, Quilon and Alleppey. The Labour Association in its weekly publication has been repeatedly saying that it has been established for the last 13 years. Sir, may I ask whether it is not a very curious fact that all this agitation has come to the forefront only during the last two years? All the people who have organised this agitation on behalf of the Travancore Labour Association and other Labour Associations have been connected with one form or another of political agitation in this country. Some of them have been editors of the *Tozhilali* newspaper. In season and out of season, whether the employer is an Indian or a European, he is being abused in the hope that this house must be induced to do some things, certain things to the prejudice of the interests of the employer and to the advantage of the labourers. I am not at all surprised therefore at the attitude taken by the House, and I can quite understand their sympathy for the labourers.

MR. E. V. KRISHNA PILLAI (*Pattanamittu*): Was there a protest on the part of labour when the Assembly met here last time?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): I think the Travancore Labour Association at Alleppey sent some telegrams.

MR. K. C. KARUNAKARAN (*Nominated*): May I know whether an organ is published by the Labour Association?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): Yes, there is the 'Tozhilali'.

MR. K. C. KARUNAKARAN (*Nominated*): May I know the name of the editor?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): Mr. M. S. Anirudhan, B. A., B. L. a High Court Vakil, now at Trivandrum.

MR. E. V. KRISHNA PILLAI (*Pattanamittita*): Is he a labourer?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): He is a vakil. I was saying that I can quite understand the sympathy created in the minds of the members of this House for the labourers. It has often been pointed out that the employer is treating the labourers very badly. Particular reference was made in the last session of the House that the Indian employer is treating the labourers more harshly than the European employer. In this connection, I beg to state that there had been occasions when one European employer was even pelted with stones by the labourers and the Police had to come to his rescue and subsequently the labourers were charged before the Magistrate's court. I know, Sir, another instance in which the manager of a European firm had to keep himself inside the premises until the Police came to his aid. Sir, I have to observe therefore that the mischief-maker does not differentiate between the European or the Indian employer.

MR. M. SIVATANU PILLAI (*Tovala*): Does it not show that the affairs of labour are not going on very well?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): The incident was the result of one of the leaders of the strike being sent away from the department as he was found insubordinate. He made common cause with a number of labourers and induced them to strike work hoping to be reinstated; but the European employer refused to take him back.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether it is his view that, if there is no legislation, such things will not happen?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): I have not come to that yet. All that I wanted to represent to this House, Sir, is that the representations made by labour in Alleppey and Quilon are not the result of any bad treatment meted out by the employer to the labourers. This might have been perceptible even from the discussions in this House, which did not refer at all to the treatment of the labourers by the employer or the bad and insanitary conditions of the factories. It was pointed out time and again that all these agitations were only on the question of wages and the labourers complained only about this subject.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether he is of opinion that at present the Indian employers are giving the best sanitary conditions to the labourers?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): There is one fundamental point which I would like to explain in regard to labourers in Alleppey, and, I think, in some places in Quilon. There is no restriction of the hours of work in Indian factories. The labourers can come

when they like and they can go when they like. It is for this reason that almost all the works in a factory are given out on contract. The labourers can finish their work within two hours or twenty hours. There is absolutely no restriction that the labourers should work so many hours and the employers do not ordinarily ask the labourers to work overtime.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): In that case, is not the contractor the employer of labour?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): No: he is not the contractor. The work is given on piecework system and that is a direct arrangement between the labourer and the employer.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether additional expenditure will not have to be incurred if the employer were to provide sanitary conditions and quarters?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): The employer will certainly be a wise man if he does it. He can then get better work from them.

MR. K. R. ELENKATH (*Kalkulam*): May I know whether the member is not against the provisions of the Bill for that reason?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): I want to say clearly that the Bill has not been brought directly as the result of any necessity for it, but because it has been introduced elsewhere. That is my point. Practically for the last 20 years we have had no legislation in this country. In fact there was no agitation for legislation except during the last two years.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Was there any agitation or representation made to Government when the Factory Regulation of 1089 was introduced in this State?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): I should think that the employers themselves asked Government for that Regulation. For the last twenty years, there was no further labour legislation in this country. At the same time the District Magistrate of each Division was the Factory Inspector and it has to be supposed that he was doing his duty properly. The District Magistrate in each Division made it a point to inspect each factory in his Division at least once a year or he had been deputing his Tahsildars to do the work for him. The natural inference can only be that every thing was rotten, and that the officers have been shirking their duty without bringing anything to the notice of Government or of the public. That is the natural inference. I can draw, if the argument is advanced that the labour conditions are very bad at present and that nobody is taking any action against such a state of affairs. The Travancore employer also is certainly a human being, and as a clever employer, if he has to be successful in his trade, he has to be seriously interested in the safety, good conditions and health of his own labour. That is the way in which the Travancore employer has been getting on so far. There had been no general strikes during the last twenty years.

One point on which I would like to lay particular emphasis is the fact that these strikes took place only during the last two years and even then strikes of a general nature and affecting one full industry or one factory never took place. The strikes took place only in one or two departments or at best were confined only to one factory and even then they were only in factories which were not working full time and where the labourers had a complaint that they were not given work. I would just refer this House to two strikes that took place. One was when the labourers were arrested and charged by the Alleppey Police.

MR. K. C. KARUNAKARAN (*Nominated*): Under what section?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): I think it was under Section 90. The Alleppey Police arrested the labour leaders on the above charge. Next morning all the factories were asked by the labourers to close. Printed leaflets were distributed among the labourers who were asked to observe *hartal*. The employers refused to do that. The result was that a number of labourers rushed into several of these factories, called those who were peacefully working inside, all sorts of names and induced the men to go on strike. When the labourers inside refused to come, they were compelled by employing force to stop work. The clerks and managers had to seek protection for safety of their lives. The slogans used by the labourers on strike were “നാമെ നശിക്കട്ടെ—നാമെമധവാനിതം നശിക്കട്ടെ—മതലാളിതം നശിക്കട്ടെ”.

These were the three slogans that were repeated and they went from one factory to another, and induced labourers everywhere to join them in the strike.

SADASYA TILAKAN T. K. VELU PILLAI (*Trivandrum—Urban*): Are there many Nayers who are proprietors of factories in Alleppey?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): That was a point which I forgot to mention and I thank the member for reminding me of it by this question. There was one Nayar who was the managing agent of a limited liability company. All the other employers were either Brahmins, Mahomedans, Banias, Christians or Ezhavas.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the Nayar proprietor is still there?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): I am not aware of it.

PRESIDENT: I am afraid the member is entering into too many details. The question now is whether the House is accepting the general principles of the Bill or not.

MR. M. SIVATANU PILLAI (*Tovala*): May I know from the member why those labour leaders were charged under Section 90?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): For prevention of the breach of peace.

PRESIDENT: Will you conclude, please?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): The next strike which ever took place in Alleppey was on the day following the arrest of Mr. C. Kesavan. No notice was given to the employers. They had to either close the factories or be prepared to subject themselves to all the

[Mr. M. L. Janardanan Pillai.]

ridicule that might be thrown upon them. That is the atmosphere responsible for all the agitation, Sir, that has been made during the last two years, to make this House feel that the employer is a monster who is sucking the life-blood out of the labourers.

My point is that this legislation has been brought before the country all too suddenly. In this connection, what Mr. F. E. James at the Planters' Association of Southern Indian said may be quoted:—

"There is one other problem to which I should like to refer and which is becoming acute and which is likely to become more acute, and that is the problem of the deluge of labour legislation which threatens to engulf, in a sea of forms, returns and financial burdens, the industrialist and organised agriculturist alike. It is no doubt true that a certain amount of legislation is needed and it is in the interest of labour. It must, however, be remembered that in western countries improvements in the conditions of labour have grown slowly under the pressure of organised opinion and Trade Unionism. In this country the pressure comes from the Government itself, and there is a tendency to introduce within a few years measures which normally should take a generation to evolve. The result is that employers of labour find it almost impossible to meet adequately this insistent pressure; and industry, at a time of tremendous competition, is called to face enormous additional financial burdens. Another danger is that conditions in British India and Indian States will become so dissimilar as to tempt industry to transfer to Indian States in order to escape the labour laws of British India. An appeal might justifiably be made to the Government of India to realise these difficulties, to give industry in British India a chance to settle down before placing new burdens upon them, and to give Indian States an opportunity to approximate their own conditions to those of British India."

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is it with regard to this present legislation that that speech was made?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): No; but with regard to Factory Act when it was introduced into British India.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether the present legislation is in advance of similar legislation in British India or behind it?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): It is certainly on the lines of the Act in British India. I have the opinion of the Honourable the Law Member who himself says that this legislation is far-reaching in character, that it makes a very large stride in this matter, and that it is almost a leap, probably, as we consider, a leap in the dark. At any rate, it is a large stride that he is proposing and the provisions are such that the industry and the employer will be placed in a very serious position. Even in other countries, labour legislation has not been accepted to the extent to which India has accepted it. We in Travancore are certainly lagging far behind British India because, Sir, we have no large-scale industries here, of the type of the cotton mills or the jute mills of British India. We have got one paper mill, a tile factory and a few coir factories. One tile factory is almost closed. In regard to coir factories, I may tell you, Sir, that very recently a representative of the Ceylon Government came here and conducted investigations. He has gone back to Ceylon and has published a report stating that it will be easier and cheaper for them to do the same business.

there, provided they take to modern appliances as found in Travancore. In a few months the articles produced here will be produced in Ceylon also and the industries have the support of the State behind them while the industries here have absolutely no support from Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the export duty on coir yarn is a definite help to the mats and matting industry or not?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): This question has been discussed time and again and it has been pointed out that the five per cent. duty levied on coir yarn is a flea-bite and without even that concession Ceylon is going to compete with us. Further, Cochin and Malabar, I understand, are also going to compete and there is no duty on coir yarn. In the midst of these difficulties, it is sought to introduce a legislation which makes it possible for Government by a notification to include among factories even places where ten or more people are employed and where power is not used. I am afraid this country is going to witness the awful spectacle of losing one of its finest industries, the coir yarn industry. Mats and matting are only floor-coverings used by the middle class people in England and elsewhere. As against that, articles from other countries suitable for the same purpose have come to stay. We are unable to export mats and matting to any of the important ports in the world because of the heavy import duty on mats and matting shipped to other countries, while our coir yarn is allowed to enter absolutely free of duty. That will explain to my friend Mr. Kunjukrishna Pillai the nature of the protection given for their industries when raw materials have to be imported from other countries.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the import duty imposed by foreign countries has not been partly the result of the export duty which is imposed here on coir yarn, placing them at a disadvantage?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): No. The export duty levied on coir yarn is only 5 per cent. *ad valorem*, while the import duty on our mats and matting levied by foreign countries is in some cases two hundred per cent. *ad valorem*.

SADASYA TILAKAN T. K. VELU PILLAI (*Trivandrum—Urban*): May I know how the provisions of the Bill will prejudice the interests of the employer?

PRESIDENT: I cannot understand it myself from the member's speech. He has been wandering; and if he does not take my warning, I am afraid I will have to implement it.

MR. M. L. JANARDANAN PILLAI (*Co-opted*): It will make the industry most costly. What is the present position with regard to our copra? Until 1927 we were exporting copra in large quantities to foreign ports. But since our neighbouring countries have been able to supply these at much cheaper prices, our export to foreign ports has completely stopped itself. For the same reason, our export of pepper has considerably declined.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know why it will make the industry costly?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): The strength of the factory has often to be determined by a P. W. D. officer. Rest-houses have to be provided for inside each factory. In Alleppey town Rs. 60 to Rs. 300 has to be paid as price of land and at least two acres of land are certainly required for a factory. To provide rest-houses in each factory would certainly mean considerable expense to the industrialists. In towns employers who have large business interests may find it possible to carry out all these provisions while it will prejudicially affect the smaller industrialists. I would respectfully urge for the consideration of the House that certain provisions of the Bill are very stringent and are likely to place the industrialist and the industries in a very difficult position and that the result of this Bill being passed in its present form in a few years will be that we shall have to lose many of the smaller industries or at least a good portion of them.

PRESIDENT: Is the Law Member going to speak?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have no remarks.

MR. E. V. KRISHNA PILLAI (*Pattanamitta*): Some of us would like to speak. We did not rise earlier in the hope that we would be benefited by the criticisms offered by Mr. Janardanan Pillai and Mr. P. S. Mahomed. So we may now be allowed some time to criticise the Bill after hearing these two gentlemen.

PRESIDENT: The House will now adjourn and meet again at 2 O' clock.

The House rose for lunch at 1 P. M. and re-assembled at 2 P. M., the Deputy President presiding.

DEPUTY PRESIDENT: Mr. Puthupalli Krishna Pillai.

MR. M. L. JANARDANAN PILLAI (*Co-opted*): Sir, I have not finished my speech. I only paused to answer a question. I request the indulgence of the Chair just to add a few more words.

DEPUTY PRESIDENT: The difficulty arises in this way. Nawab Sir Muhammed Habibullah was occupying the chair at the time when you sat down. I do not know exactly what transpired then. I found Mr. Janardanan Pillai getting up and saying that he wanted to speak a few words. I also found Mr. Puthupalli Krishna Pillai getting up to speak. I do not know what actually transpired. Mr. Janardanan Pillai now makes a statement before the House that he had not finished his speech but that he was only pausing because a question was put to him.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Was there not a ruling by the previous Chairman that Mr. Janardanan Pillai was not coming to the point but was going away from the point and as such the Chair did not want him to go further?

DEPUTY PRESIDENT: I heard that observation made. But as far as I understood, the President did not stop Mr. Janardanan Pillai. How much time will you take, Mr. Janardanan Pillai?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): Only five minutes.

DEPUTY PRESIDENT : As a special case, because you state that you did not stop your speech, but only sat down for a moment, and because there was nothing of the character I apprehended, I am prepared to allow you to speak for five minutes.

MR. M. L. JANARDANAN PILLAI (*Co-opted*) : Sir, as I had been pointing out already, the greatest difficulty is experienced by business-men because of the financial depression prevailing in the country. Our fear is that this Bill will further saddle the industry and trade with larger costs. In every country successful trade is absolutely necessary to maintain an industrial surplus. Without industrial surpluses, even Governmental finances will have to be rather uncomfortable. Just at present we are passing out of the economic depression. Therefore at this stage of our industries, it is not proper to introduce the Factory Bill in the form in which it is placed before this House.

I commend this aspect of the question for the consideration of this House, although I have already stated at the beginning that I am quite prepared to support this Bill only with considerable modifications.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Sir, I support the principle contained in the Bill that has been placed before the House. There appears to be an amount of misunderstanding about the exact scope and significance of this Bill. Some of us are under the impression that all the provisions contained therein mark a deviation in the legislation relating to labour in Travancore. It makes according to them a wide departure from the accepted principles which will be inconsistent with the interest of labour and capital in the State. But what I wish to say in this connection is this, that this Bill is only an amending and repealing legislation. On a comparison of the provisions in the new Bill with the provisions of the existing Regulation, I find that the changes are but few.

It has been answered by the Member representing employers that, if this is accepted, it would increase enormously the cost of production and that consequently they will be put to heavy loss. As an instance of that, it is pointed out that for the provision for making better accommodation in the matter of putting up rest-houses, new structures, and other things, the capitalists will be put to unnecessary expenditure.

It is because the Honourable member who spoke in support of the employers has not made himself conversant with the provisions of the existing Regulation that he is under this misapprehension. I do not blame him for that. I blame the Government in regard to this ignorance on the part of the Honorable Member. This Regulation was passed in 1089. It contains 50 and odd Sections. Every Section has been enacted on the lines of the British Indian enactment.

I shall mention a few of the important provisions in the Regulation. There is a provision for the appointment of Inspectors. Section 3 empowers Government to appoint an Inspector or Inspectors for the several areas. I do not know if Government have appointed during the last 22 years even a single Inspector to exercise the powers conferred by the Regulation. The Regulation declares that all the District

[Mr. Puthupalli S. Krishna Pillai.]

Magistrates in the State shall be ex-officio Inspectors under the Factory Regulation. I do know whether any District Magistrate has cared during the last 22 years to read up these Sections and to do a single act enjoined by the Regulation. The Regulation requires that medical officers shall issue certificates to children below a particular age before they are employed. I wish to know whether any single medical officer has ever cared to issue a certificate. I wish to know whether any employer has conformed to the provisions of the Regulation in the matter of admitting children only after the production of a medical certificate.

MR. M. L. JANARDHANAN PILLAI (*Co-opted*): Is it provided in the Regulation that the employer must get a medical certificate for children?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): No. But he is prohibited from employing them without production of the certificate. Everybody who contravenes the provisions of the existing Regulation shall be liable to penalties. If my friend wants legal opinion, I shall give it to him. If the Government did not allow it, the employers would not have contravened the provisions of the existing Regulation defiantly.

MR. M. SIVATANU PILLAI (*Tovala*): May I ask the Honorable Member whether this does not show that the present Regulation was not warranted by the situation at the time of its passing?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, the Honorable Member who introduced the Bill in 1089 had explained the reason for coming forward with that Bill. It was unanimously passed and accepted by the House. That Bill conferred certain privileges upon the labouring classes. It was the duty of the Government and the employer to see that those provisions were brought into effect. As it naturally happens, the labourer has no organisation to support his cause. Government were supporting the employer all along.

DEPUTY PRESIDENT: Your point is that Government have been neglecting the interests of the labourers all along?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Yes, Sir. I find from the Administration Report that over 3,000 children have been working in various factories in the State from the year 1103 till 1109. There is a provision in that Regulation which enjoins that children shall not be made to work for more than a specified number of hours a day. Has anybody cared to see that that provision was followed? I am quite sure that the Administration Report will show that that has not been done. I shall presently convince the House of another fact. I refer to the provision relating to the employment of female labour in factories. There is a limit to the number of hours they could be made to work in a day. Has that been enforced? There is another provision which enjoins the employers to provide urinals, latrines, and various amenities for the labour they employ. Have all these been attended to? Has any District Magistrate enquired into that?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): May I ask whether the member thinks that all the factories are working without urinals, latrines and other things, enjoined by the Regulation?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): If the employers have been putting up urinals, etc., as provided for in the present Regulation, a similar provision in the new Bill will not put them into any difficulty.

There is another provision in the Regulation, and that is the necessity for employers to send up certain annual returns or reports. Have they been sending up these reports? The employers have to keep certain registers showing the number of hours the labourers have been working, the kind of duties performed by them, etc. Have they been keeping these registers?

MR. M. L. JANARDANAN PILLAI (*Co-opted*): Does the member imply that all the District Magistrates have been functioning all these years without getting any of these reports?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Yes.

DEPUTY PRESIDENT: I want to clear the position. Mr. Krishna Pillai has been saying that Government have not been doing their duty under the Regulation. He has also been saying that there are numerous provisions in the present Regulation containing similar provisions in the present Bill. The latter is more important. Now that the Government have come forward with a Bill, it is not so very important as the other provision.

MR. M. L. JANARDANAN PILLAI (*Co-opted*): With due respect, may I explain that every year the District Magistrates are asking for certain statements and these are being supplied to them?

DEPUTY PRESIDENT: You cannot make a statement at this stage. You can only put a question.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, on the strength of a statement made in this House in answer to a question put by one of the Honorable Members of this House, I made this statement that the District Magistrates have not been discharging their duties under the Factories Regulation properly.

It was surprising to us at that time, it is more surprising to us now when the Government stated that, during the last six years, the District Magistrate who was functioning in Quilon, has not inspected the factories as per the provisions of the Regulation. I shall convince the House as to the unwholesome neglect of the Government, the utter defiance of the employers as regards the salutary provisions contained in the Regulation. I shall better convince the House by a reference to one passage contained in the Administration Report.

In the Administration Report, soon after the paragraph dealing with the Co-operative Department, there is one passage devoted to the working of the factories. The most surprising detail contained therein relates to the number of factories working in Travancore, and that especially in Trivandrum. In 1103 it was stated that there were 41 factories, in 1106 there were 31, in 1108 they say that there was only

[Mr. Puthupalli S. Krishna Pillai.]

one factory in Trivandrum, I mean, in the Trivandrum Division. The report deals with other Divisions, Kottayam, Quilon, Devicolum and Trivandrum and the number of factories in 1108 working in Trivandrum was one. Can there be a more untrue statement than that?

What has become of the Workshops and Stores Division? What has become of the Government Press? Are they not factories working in Trivandrum? What has become of the other factories like these? Again may I ask, what has become of the Monazite Factories in South Travancore? Were they all extinct in 1108 when the report was written? No. It only shows the absolute disregard for truth the absolute blunder committed by the District Magistrates in sending up their reports.

Another passage to which I wish to refer in this connection is this. In 1103 the report says that the average period of working hours per diem is from 8 to 12 in 1106 from 8 to 10; and in 1108 also the working hours range from 8 to 10. Under Section 22 of the existing Regulation, if every Sunday in the year is to be excluded in the matter of calculating the number of working hours, it will be found that the number of actual working hours ranges from 10 to 12 during all these years. Now if under Section 23 a child is made to work only for 7 hours and the female under Section 24 for 10 hours a day, the average working hours of a man, a male adult, if these two provisions were strictly complied with, would come to 13 to 19 hours a day. What the labourers in British India and other advanced countries have done during this period we will just examine. It is found that under the existing conditions the working hours do not exceed more than 9 hours a day. The total working hours of a labourer for a week of 6 working days is 54 hours. That comes to an average of 9 hours a day. When you compare that figure with the 13 to 19 hours a day here—it must have been true during this long period from the year 1089 to 1111 i. e. during the last 22 years—every employer has made his labourer to work like beasts. If men must have felt exhausted, I am quite sure that compensation must have been obtained by making the females work. And if that also was found insufficient, the small children might have been compelled to work overtime in the factories and that without the certificates contemplated by the Regulation. They must have been made to work for more than 7 hours a day. It has come out as a surprise that the representative of the employers now comes forward to say that there is competition from Colombo and from Cochin and that if they were not able to get cheap labour, they will be ruined. I beg to infer from this that these gentlemen were treating the labourers in a most inhuman fashion. Is it on account of the cheap labour, is it on account of the human—animal labour I must say—that they have been giving, that they have been keeping pace with the steadily advancing industries in other parts of the world? Can anything be more inhuman than that? They say that they are not able to compete with other capitalists in the ordinary commercial ways. The only way open and

available to them appears to be the cheap labour available here. Males and females work from 15 to 19 hours per diem. They can make them work and at the same time pay them only small wages. They now say, if you bring in all these provisions of the Regulation into force, they will be hit hard and as a result the industries will disappear. That they are unable to withstand competition is another argument put forward by them. Therefore for all these reasons they say that this House should be careful about the passing of the various provisions of the Bill.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Is it the opinion of the member that a factory labourer and an agricultural labourer are the same for purposes of calculating the number of hours for work?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I am at the Factory Regulation that is before the House now. I shall presently show that a lot of misapprehension has arisen in this matter on account of the absence of one report which the Government have neglected to call for in this connection.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If a labourer works for 19 hours a day, will not the quality of work be less efficient?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): As for that matter, if I am compelled to work I do not think that the work will fall short of the quality desired, because I will bring to bear all the forces at my disposal to the work I am at. But unfortunately in order that I may compete with other labourers, in order that I may have to win my daily bread for my family and children and relations who are depending on me, I may work for a larger number of hours and try to do the best work possible so that the quality of work may not suffer. It may not be possible for me to sustain that energy for a long period. In the case of hired labour, the State must step in between the labourer and his willingness to work. Only that which is good for him can be permitted to be done by him. The main argument advanced by these employers against labour legislation is that they will not be getting as much cheap labour as they now get that argument, I must say, is built on inhuman feelings, insipid feelings, on principles opposed to all the accepted canons relating to this question.

It pains me to hear the Honourable Member saying that the present day labour agitation has its origin in politics. In a vivid account he referred to those and stated that they commenced in 1108. I am really sorry that an employer of the reputation of the Honourable Member has forgotten all the incidents relating to this matter that have taken place before 1108.

DEPUTY PRESIDENT: Labour legislation is a part of politics and because it is connected with politics there is nothing wrong in the statement made by Mr. Janardanan Pillai. The statement is quite legitimate.

MR. M. L. JANARDHANAN PILLAI (*Co-opted*): I was only referring to the strikes that took place in 1108.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Strikes were taking place in Travancore even before 1108. I myself had to interfere in some cases. If you ask Messrs. Harrisons and Crosfield in regard to the number of strikes they had before 1108, this House will be convinced that my friend's statement is wrong and misleading. If you look into the history of labour strikes in Alleppey, I am quite sure that labour strike was in plenty even before 1108. To say that the strike commenced during the last two years and to say they were all connected with the politics of the day from 1108 only is entirely wrong and misleading.

DEPUTY PRESIDENT: Is not labour strike a part of politics?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): It is; but not connected with the politics we had from 1108 onwards.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Am I to take it that the member does not accept the concrete instances cited by Mr. M. L. Janardanan Pillai?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): If, during strikes, any European has been locked up, if any employer has been kicked—that alone is not a peculiar feature of 1108 or 1109. All strikes are attended with some kind of violence.

There was one point referred to by my friend, *viz.*, the slogan "Down with the Nairs". Sir, we have all passed that stage when such a reference will create animosity in our minds against an institution, against a propaganda which has its origin not in communities but in humanity. If my friend thought that was an argument against the acceptance of this legislation, he is absolutely wrong, because, it only shows the utter incapacity of these labourers, their utter illiteracy. There has been no organised and systematic work to convince us the need for an all-round protective legislation which will give them sufficient protection, a protection not only for their own sake but against their employers too. I do not doubt the veracity of the statement of my friend, and, taking it for argument's sake, as a matter of fact, it only shows how much these labourers stand in need of protection.

With regard to the Bill that is before the House, there are three important departures made from the existing Regulation. One is with regard to the definition of the word "factory". The second thing is that, in the new Regulation, Government is given power for making the provisions of the Regulation applicable to certain factories where mechanical power is not used. The other is the provision relating to the weekly working hours and other welfare provisions. A comparative study of the provisions of the Factory and Work-shops Act of 1906 (England), and the Factories Act of 1935 of British India, with those of the present Bill will tell us that there is nothing new; what is good for the British Indian labourer is good for the Travancore labourer.

I said that there was one omission made and that omission, so far as the present Bill is concerned, is that the Government did not appoint a Committee to enquire into the working of these factories. In

1106, the Economic Development Board had passed a resolution that such a committee should be appointed. Government accepted it, but they did not do it. We have therefore, in discussing this Bill, to avail ourselves of the personal information that we have with regard to the working of the present factories. Sir, to commence from South Travancore. The Monazite Factories have been working there for a long time past. The important portion of the work that is done is the digging of sand from the beach. The labour that is employed there mainly consists of young children. It is a sight not for the Gods but for the demons, to see how these children are exposing themselves to the scorching sun of South Travancore and getting practically fried up. And what is the total period that they are being made to work in a day? You cannot stand there for an hour. Any member who challenges my statement must be compelled to stand there for ten minutes together. Could not Government regulate it by rules framed for the purpose?

MR. M. K. KURIAKOSE (*Muvattupuzha II*): Are they forced to work there?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, we are doing various things for earning our daily bread. No one compels us and you will not be compelled. They are compelled not by these gentlemen but by the sheer force of destiny. Employers are taking advantage of it, but they should not take advantage of it.

DEPUTY PRESIDENT: You ask for some act of patronage from the Government?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, coming to Trivandrum, there are three Government factories functioning here. Let us discard the Rubber Factory. There are the P. W. D. Workshop and the Government Press. It is high time that the Government should look into the provisions of the existing Regulation and see how far the work that is being done there is consistent with the provisions of this Regulation. I am quite sure that I will be able to point out half a dozen instances where the provisions are being systematically ignored. Let us go to Quilon. At the time this Regulation was passed in 1089, we had probably only two or three factories there; one or two tile factories and the Cotton factory. Now there is another kind of factory, that is the cashewnut factory. Has the District Magistrate visited any of the cashewnut factories and seen how the work is carried on? Any one who knows anything about cashewnut can understand how a touch of it will injure the hand. The skin peels off. From 7 O'clock in the morning till 5 O'clock in the evening there are hundreds of people who are engaged in frying the nuts and breaking the shell. I am told that it is a ghastly sight to see these people after work. We do not know what it will lead to. That is a matter which requires some attention.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What remedy does the member suggest?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): The provisions relating to that in the new Bill must be changed and the employers must be compelled to provide the employees with covering for the face and the whole body. This is an industry which is not available on an extensive scale in British India. It is a prominent industry of this State and that industry must be protected and that can be done only by taking the necessary safeguards. It will be in the practical drawing up of the rules. The rules that are available in British India are not useful for our purpose. Our rules must be framed for our industries. The rules published under the Factories Regulation are rules prevailing in British India. They deal mainly with the jute and cotton industry.

DEPUTY PRESIDENT: I do not think that is quite relevant, because we are dealing with the general principle of the Bill. Rules passed under the Bill are quite different matters. Not that you should not make mention of it, but do not expatiate on it.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Without framing rules with regard to this Regulation, it is not possible to work it.

We do not know whether we should wait for 13 years, as we did in the case of the present Regulation, for the framing of the rules when the Bill is passed into law. It is necessary that the Regulation should be put into working order as early as possible; and for that, every thing necessary should be done.

MR. P. S. MAHOMED (*Co-opted*): സർ, ഫാക്ടറി ബില്ലിനെ സംബന്ധിച്ചുള്ള പശ്ചാത്താപന നടക്കുന്ന ഈയവസരത്തിൽ എന്നെ ഈ സഭയിലെ ഒരു ഗുമായി കോവാപ്റ്റർ ചെയ്തതിൽ എനിക്കു ഗവണ്മെന്റിനോടുള്ള നന്ദിയെ ആദ്യമായി പ്രകടിപ്പിച്ചുകൊള്ളുന്നു.

DEPUTY PRESIDENT: You need not thank anybody.

MR. P. S. MAHOMED (*Co-opted*): ഈ ബിൽ ഒരു പുതിയ ബില്ലാണെന്ന് ഈ സഭയിലുള്ള ആരും തന്നെ വിചാരിച്ചിട്ടില്ലെന്ന് എനിക്കു നല്ലവണ്ണം അറിയാം. പ്രത്യേകിച്ചു മി. എസ്. കൃഷ്ണപിള്ളയുടെ പ്രസംഗം അതു വ്യക്തമാക്കുകയും ചെയ്തു. ൧൦ വർഷം ഫാക്ടറിയെ സംബന്ധിച്ചുണ്ടാക്കിയിട്ടുള്ള നിയമത്തിലെ ഒരു ചട്ടവും ഇതുവരെയും ഗവണ്മെന്റു വേണ്ട വിധത്തിൽ നടപ്പിൽ വരുത്തിയിട്ടില്ലെന്നു മി. കൃഷ്ണപിള്ള പറഞ്ഞതു പരമാത്മമാണ്. അതിനെ നടപ്പിൽ വരുത്തുന്നതിനുള്ളായിരുന്ന പ്രതിബന്ധങ്ങൾക്കു എന്തെല്ലാം ന്യായമായ ഉണ്ടായിരുന്നാലും തുടർച്ചയായി എംപ്ലോയേർസിനെ ഉത്സാഹിപ്പിച്ചിരുന്നെങ്കിൽ ഇന്നു ഏറ്റവും അത്യന്താപേക്ഷിതമാണെന്നു ഗവണ്മെന്റിനു തോന്നിയിരിക്കുന്ന ഈ ബില്ലിനു ഇത്രത്തോളം വലുതായ ഒരു എതിരല്ല പ്രായം ഉണ്ടാവുകയില്ലായിരുന്നു. ആ നിയമത്തിലെ വ്യവസ്ഥകളെ ന

കുപ്പാക്കാതിരുന്നതുകൊണ്ട് ആണ് എന്റെ സ്റ്റേമിന്റൻ മി. ജനാർദ്ദനൻപിള്ള, ഇതു വേഗത്തിൽ ഒരു ബിൽ ഫാക്ടറി ഉടമസ്ഥന്റെ തലയിൽ കെട്ടിവയ്ക്കുകയാണെങ്കിൽ അതു വ്യവസായത്തിന്റെ അഭിവൃദ്ധിയെ തടസ്ഥപ്പെടുത്തുമെന്നു ഇവിടെ പ്രസ്താവിച്ചു. വ്യവസായികൾ ഇങ്ങനെ ഭയപ്പെടുന്നതിൽ മറുഭുവർ അതിശയിക്കേണ്ടതായി ഒന്നു മില്ല.

ഈ ബില്ലിലെ ചില വകുപ്പുകളനുസരിച്ചു പൊടുന്നനവേ റൂറസുണ്ടാക്കിയാൽ മുതലാളിമാർ ഒരു വലിയ നഷ്ടം മടക്കേണ്ടതായി വരും. തൊഴിലാളികളുടെ ആരോഗ്യം, സ്വാതന്ത്ര്യം, മുതലായവയുടെ സംരക്ഷണത്തിനായി ശരിയായ പ്രൊവിഷൻസ് എന്തെങ്കിലും നടപ്പാക്കിയാൽ ഒരു പക്ഷേ ഈ സഭയിലുള്ള പലരും അതുകൊണ്ട് രൂപീകൃതമായിരിക്കും. അതേ സമയത്തുതന്നെ ഇവിടെയുള്ള വ്യവസായികളൊക്കെ നശിക്കണമെന്നു തൊഴിലാളികളുമായി അനേകകാലം സഹകരിച്ചു പ്രവർത്തിക്കുവാൻ ഭാഗ്യമുണ്ടായ എനിക്കു—ആ പ്ലൂയിലെ തൊഴിലാളികളുടെ പ്രവർത്തനങ്ങൾക്കു സൗകര്യം സൃഷ്ടിക്കുന്നതിനു ഭാഗ്യവും സൗകര്യവും ലഭിച്ചു എനിക്കു—അറിയാം.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : ഈ പ്രവർത്തനങ്ങളുടെ സൃഷ്ടി എന്നായിരുന്നുവെന്നു പറയാമോ?

MR. P. S. MAHOMED (*Co-opted*) : ഏകദേശം മന കൊല്ലത്തിനു മുൻപാണ്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : മെമ്പർ അതിൽനിന്നും പിൻമാറിയിട്ടു എത്രകൊല്ലമായി?

MR. P. S. MAHOMED (*Co-opted*) : രണ്ടു കൊല്ലമായി.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : മെമ്പറെ തൊഴിലാളികളുടെ പ്രതിനിധിയായി സ്വീകരിക്കാൻ പാടില്ലെന്നു തൊഴിലാളി സംഘത്തിൽനിന്നും പ്രമേയം പാസാക്കി ഗവണ്മെൻറിനയച്ചിട്ടുള്ളതായി അറിയാമോ?

DEPUTY PRESIDENT: That dose not arise.

MR. P. S. MAHOMED (*Co-opted*) : ഞാൻ അതിനു മറുപടി പറയേണ്ട ആവശ്യമില്ലെന്നു പ്രസിഡൻറു പറയുന്നതുകൊണ്ട് ഞാൻ മറുപടി പറയുന്നില്ല.

DEPUTY PRESIDENT : No, I am not prepared to allow Mr. P. S. Mohamed to say anything in regard to that. All that I am concerned with is that Mr. P. S. Mahomed is a member of this House. You may proceed with your argument, Mr. Mahomed.

MR. P. S. MAHOMED (Co-opted): ഞാൻ അതിനെ സംബന്ധിച്ച ഒന്നും തന്നെ പറയുന്നില്ല. പ്രസിഡൻറിന്റെ രൂപീകരണ ബഹുമാനിക്കുന്നു.

അതിനാൽ ഈ സഭയിലെ ഒരാൾക്കു നിലയിലും പൊതുവെ തൊഴിലാളികളുടെ താൽപര്യങ്ങളെ പരിപാലിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി വന്നിട്ടുള്ള ഒരുതന്നെ നിലയിലും, മറ്റു നിലയിൽ തിരുവിതാംകൂറിലെ വിപ്ലവങ്ങളിൽ പെടാത്ത തൊഴിലാളികളുടെ പ്രതിനിധി എന്ന നിലയിലുമാണ്, ഞാൻ ഈ അഭിപ്രായങ്ങൾ ഇവിടെ പ്രതിപാദിക്കുന്നത്. ഇപ്പോഴത്തെ തിരുവിതാംകൂർ തൊഴിലാളിസംഘത്തെ പ്രതിനിധീകരിക്കാൻ ഞാൻ ആഗ്രഹിക്കുന്നില്ല. ഞാൻ അതിന്റെ പ്രതിനിധിയും അല്ല. ൧൦ വർഷം ബ്രിട്ടീഷ് ഇൻഡ്യാ റെഗുലേഷൻ ഓർഡിനൻസ് ബ്രിട്ടീഷ് ഇൻഡ്യായിൽ പല കമ്മീഷനും, കമ്മിറ്റികളും നിശ്ചയിക്കുകയും അവരുടെ റിപ്പോർട്ടുകൾ വരുത്തി തൊഴിലാളികളുടെയും തൊഴിൽ ശാലക്ഷ്യങ്ങളുടെയും നിലയും സ്ഥിതിയും വേണ്ട വിധത്തിൽ മനസ്സിലാക്കുകയും ചെയ്തു കൊണ്ടിരുന്നു. ഇപ്പോഴും റായൽ കമ്മീഷന്റെ റിപ്പോർട്ടുവന്ന ഉടനെ തൊഴിലാളികളുടെ സംഗതിയെ സംബന്ധിച്ച എക്കണാമിക്സ് ഡവലപ്പ്മെന്റ് ബോർഡിന്റെ ശുപാരിസിൽ ഞാൻ തന്നെ കൊണ്ടുപരികയും തൊഴിലാളികളെ സംബന്ധിച്ചുള്ള നിയമങ്ങൾ ഇവിടെയും ഉണ്ടാക്കണമെന്നു ഞാൻ തന്നെ വാദിക്കുകയും ചെയ്തു. തിരുവിതാംകൂറിലെ ഫാക്ടറികളുടെയും, വ്യവസായികളുടെയും, തൊഴിലാളികളുടെയും നില നല്ലപണ്ണം അറിഞ്ഞതിനുശേഷമല്ലാതെ തൊഴിലാളി നിയമത്തെ സംബന്ധിച്ച ഒരു തീർച്ച ചെയ്യുന്നതു ശരിയല്ലെന്ന് ഇന്നത്തെ ചീഫ് സെക്രട്ടറിയായ അന്നത്തെ അതിന്റെ പ്രസിഡൻറ് അഭിപ്രായപ്പെട്ടതനുസരിച്ച് ഫാക്ടറി വ്യവസായത്തിന്റെ സ്ഥിതിഗതാകളെപ്പറ്റി അന്വേഷിക്കുന്നതിനായി ഒരു കമ്മിറ്റി നിയമിക്കണമെന്നു ഗവണ്മെന്റിലേക്കു ബോർഡ് ശുപാർശ ചെയ്യുകയും ചെയ്തു. അതിനുശേഷം നിയമസഭയിൽ ഞാൻ മെമ്പറായിരുന്ന കാലത്തു ഇതിനെ സംബന്ധിച്ച് ഞാൻ തന്നെ പലപ്പോഴും വാദിക്കുകയും ചെയ്തിട്ടുണ്ട്. അതിന്റെ ഫലമായി ഒരു കമ്മിറ്റിയേയും അതിലെ പ്രസിഡൻറിനേയും മറ്റുമുള്ള മെമ്പർമാരെയും നിയമിക്കുകയും ചെയ്തു. അതുപറ്റു കാരണവശാലോ അലസിപ്പോയി. ആ കമ്മിറ്റി പ്രവർത്തനത്തിൽ വരികയും അവർ റിപ്പോർട്ട് സമർപ്പിക്കുകയും ചെയ്തിരുന്നുവെങ്കിൽ ഇന്നു നിയമനിർമ്മാണം സംബന്ധിച്ചുള്ള

എല്ലാ അറിവുകളും നമുക്കു ലഭിക്കുമായിരുന്നു. അങ്ങനെയുള്ള അറിവു ലഭിക്കാതിരിക്കുന്നത് കൊണ്ടുമാത്രമാണ്, ഇത്ര അഡ്വാൻസായ ഒരു നിയമം തിരുവിതാംകൂറിൽ ഉണ്ടാക്കിയാൽ അതു വ്യവസായങ്ങളുടെ പുരോഗതിയെ അടയ്ക്കുകയില്ലയോ എന്നു ചിലർ സംശയിക്കുന്നത്. എനിക്കു ഇതിൽപറയാനുള്ളതു് ഈ ബില്ലിലടങ്ങിയിട്ടുള്ളതു ഭൂതദയയെ മുൻനിറുത്തിയുള്ള തത്വങ്ങളാണെന്നും അവയെ നടപ്പിൽ കൊണ്ടുവരുന്നതിനുള്ള ചില വ്യവസ്ഥകൾ മാത്രമേ ഇതുകൊണ്ടു വരുത്തുന്നുള്ളൂ എന്നുമാണ്. ഇതിൽ മൂന്നു പ്രധാന കാര്യങ്ങളാണ് അടങ്ങിയിട്ടുള്ളതു്. ഒന്നാമതു് ജനങ്ങളുടെ ജീവസംരക്ഷണം; രണ്ടാമതു്, ശരീരത്തിലെ അവയവങ്ങളുടെ സംരക്ഷണം; മൂന്നാമതു, ദീർഘസമയംവേല ചെയ്യുന്നതിനിമിത്തം ആരോഗ്യത്തിന്നു ഹാനിവരാതിരിക്കത്തക്കവണ്ണമുള്ള ആരോഗ്യ സംരക്ഷണം, ഇവയാണ്. ഈ സംഗതികൾ നടപ്പിൽ വരുത്തുന്നതിനായി ബ്രിട്ടീഷ് ഇൻഡ്യയിൽ ഇന്നു നിലവിൽ ഇരിക്കുന്ന നിയമത്തെ അനുകരിച്ചു ഗവണ്മെൻറു ഭാഗത്തു നിന്നും കൊണ്ടുവന്നിട്ടുള്ള ഒരു ബില്ലാണിതെന്നാണ് എൻറ വിശ്വാസം. അങ്ങനെയുണ്ടെങ്കിൽ, ഇനിയും മറ്റു സ്ഥലങ്ങളിൽ അന്വേഷണം നടത്തി കുറെ കൂടുതൽ സംഗതികൾ ഗ്രഹിച്ചശേഷം ഈ നിയമം പാസ്സാക്കാമെന്നു വരുന്നപക്ഷം അതു തൊഴിലാളികളുടെ നേക്കു നാം ചെയ്യുന്ന ഉപരായമായിരിക്കും. അതിനാൽ മുതലാളി തൊഴിലാളികളുടെ സ്ഥിതിഗതികളെ കുറിച്ചു വല്ല അന്വേഷണവും നടത്താനുണ്ടെങ്കിൽ അതു ഇതിൻറ സിലക്ടർമ്മിറ്റി ചെയ്യുന്നതിനുള്ള വേണ്ട വ്യവസ്ഥ ചെയ്തു ഒട്ടും താമസിയാതെ തന്നെ ഈ ബിൽ പാസ്സാക്കേണ്ടതാണ്. അതുപോലെ തന്നെ മുതലാളികളെല്ലാം മറ്റുള്ളവർ പറയുന്നതുപോലെ മനുഷ്യാവൃദ്ധ്യമില്ലാത്തവരാണെന്ന് എനിക്കു വിശ്വാസമില്ല. ആലപ്പുഴയലുള്ള മുതലാളിമാരെ എനിക്കു പരിചയമുണ്ട്. തൊഴിലാളികളെ ഉപദ്രവിക്കണമെന്നുള്ള ആഗ്രഹംകൊണ്ടു അവർ ഉപദ്രവിച്ചിട്ടുള്ളതായി അറിവില്ല. എല്ലാവരും അവരവരുടെ ആദായത്തിനുവേണ്ടിയാണു വേല ചെയ്യുന്നതു്. ആദായത്തിനുവേണ്ടി ചെലവു കുറക്കാൻ മുതലാളികൾ നിർബന്ധിതരായിത്തീരും. അവരുടെ ദൃഷ്ടിയിൽ അതു അക്രമമാണെന്നു തോന്നുകയുമില്ല. മിതമായ നിലയിലാണ് അവരുടെ ചെലവിനെ അവർ നിയന്ത്രിക്കുന്നതു്. ഇങ്ങനെ ചെലവു കുറക്കണമെന്നു മുതലാളികൾ വിചാരിക്കുന്നതിനുള്ള കാരണം ഇന്നത്തെ ആദായക്കുറവാണ്. അതുകൊണ്ടു ലാഭമുണ്ടാക്കാനുള്ള മാർഗ്ഗങ്ങളിൽകൂടിയെല്ലാം ലാഭമുണ്ടാക്കാൻ അവർ ശ്രമിക്കുന്നു.

[Mr. P. S. Mahomed.]

മിക്കുന്നു. തൊഴിലാളികളുടെ കൂലിയിലും അവരുടെ കരം പതിയുന്നു. അതുകൊണ്ടാണ് തൊഴിലാളികളെ സംരക്ഷിക്കാൻ നിയമം ഉണ്ടാക്കേണ്ടതു അന്ത്യന്താപേക്ഷിതമാണ് എന്നു ഞാൻ പറയുന്നത്. ഞാൻ മുതലാളികളേയും തൊഴിലാളികളേയും ആരെയും കുറപ്പെടുത്തുകയല്ല ചെയ്യുന്നത്.

ഈ ബില്ലുകൊണ്ട് നാം ഉദ്ദേശിക്കുന്ന ഫലം കിട്ടുകയില്ലെന്നുണ്ടെന്നു എനിക്കു പറയുവാനുള്ളത്. ബ്രിട്ടീഷിൻഡ്രയിലെ നിയമം ഇവിടത്തെ തൊഴിൽ ശാലകൾക്കും തൊഴിലാളികൾക്കും പ്രയോജനപ്പെടുത്താനുള്ള സദുദ്ദേശത്തോടുകൂടിയാണ് ഈ ബില്ലു അവതരിപ്പിക്കപ്പെട്ടിട്ടുള്ളത്. അവിടത്തെതിൽനിന്നും വ്യത്യസ്തമായ ഒരു നില ഇവിടെയില്ലെന്നു ഞാൻ പറയുന്നില്ല. അതുകൊണ്ട് സ്ഥിതിഭേദം അനുസരിച്ചുള്ള ഭേദഗതികൾ വരുത്തിയില്ലെങ്കിൽ ഇതുകൊണ്ട് നമുക്കു പ്രയോജനമില്ലാതെ വരാം.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : തൊഴിലാളികൾക്കു കൂടുതൽ ആനുകൂല്യം ചെയ്യണമെന്നാണോ മെമ്പറുടെ അഭിപ്രായം?

MR. P. S. MAHOMED (*Co-opted*): ചില സംഗതികളിൽ ചെയ്യണം.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : ഇപ്പോഴുള്ള ആനുകൂല്യം കുറയ്ക്കണമെന്നുണ്ടോ?

MR. P. S. MAHOMED (*Co-opted*): അവരുടെ നേർക്കുള്ള ആനുകൂല്യങ്ങൾ കുറയ്ക്കണമെന്നില്ല. എന്നാൽ രണ്ടുമൂന്നുലക്ഷം രൂപാ ചെലവു ചെയ്തുകൊടുത്താൽ ആ കെട്ടിടത്തിലെ തൊഴിലാളികളെക്കൊണ്ടു ജോലി ചെയ്യിക്കാവുന്നതെന്നു കരുതിയിരിക്കേണ്ടതല്ല. നേരെമറിച്ചു അവർ ജോലി ചെയ്യുന്ന സ്ഥലത്തു കാര്യം വെളിച്ചവും ശുചിത്വവുമുണ്ടാകത്തക്കവണ്ണമുള്ള സൗകര്യങ്ങൾ ചെയ്തുകൊടുത്താൽ മതിയാകുന്നതാണ്.

ഇപ്പോഴോ അതിൽ കൂടുതലോ ആളുകൾ ജോലി ചെയ്യുന്നതും ഇബ്ബിൻ വച്ചുജോലി നടത്തുന്നതുമായ ഒരു സ്ഥലമാണ് ഫാക്ടറി എന്നാണ് ഡെപ്യൂട്ടി കമ്മീഷണിൽ പറഞ്ഞിരിക്കുന്നത്. ബ്രിട്ടീഷിൻഡ്രയിലെ നിയമം ഇങ്ങനെയാണെങ്കിലും അതിനു കാരണം ആ തരത്തിലല്ലാത്ത ഒരു ഫാക്ടറിയും അവിടെയില്ലാത്തതിനാലായിരിക്കണം. ഇവിടത്തെ സ്ഥിതി അതല്ല. അവിടെ പലതും പൂർവ്വപേല ചെയ്യുന്നതിനു ഒഴിച്ചുകൊടുത്തുപോയതായിട്ടാണ് വെളിപ്പെടുന്നത്. ഇവിടത്തെ വ്യവസായങ്ങൾ അധികവും മനുഷ്യർ ശരീരം കൊണ്ട് ചെയ്യുന്നതാണ്. അതിനാൽ മെ

ഷീൻ എന്നുള്ള പദം ഡെഫനിഷനിൽ നിന്നെടുക്കണം. രണ്ടായിരവും മൂവായിരവും ആളുകൾ ജോലിചെയ്യുന്ന ഫാക്ടറികളുണ്ട്. അവയിൽക്കൊന്നിലുത്തന്നെ മെഷീൻ ഇല്ലാത്തതിനാൽ അവ ബില്ലനുസരിച്ച് ഫാക്ടറിയായിരുകയില്ല. ഇവിടത്തെ പ്രധാനതൊഴിച്ചിൻ പൗച്ചർ അത്യന്താപേക്ഷിതമല്ല. ആളുകളുടെ സംഖ്യ കുറയ്ക്കണമോ കൂട്ടണമോ എന്നുള്ളതു സെലക്ട് കമ്മിറ്റി വേണ്ടപോലെ അന്വേഷിച്ച് രാജ്യത്തിന്റെ സ്ഥിതിയനുസരിച്ച് ചെയ്യാതെക്കാളുള്ള ഏതായാലും പൗച്ചറിനെ സംബന്ധിച്ചുള്ള ഈ ഡെഫനിഷൻ പാടില്ലെന്നുള്ള അഭിപ്രായക്കാരനാണ് ഞാൻ.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): ബില്ലിലെ ൫-ാം വകുപ്പനുസരിച്ച് പൗച്ചർ ഉപയോഗിക്കാത്ത ഒരു ഫാക്ടറിയായെന്നു ഡിക്ലെയർ ചെയ്യാനുള്ള അധികാരം ഗവണ്മെന്റിനില്ലേ?

MR. P. S. MAHOMED (*Co-opted*): ഇവിടത്തെ തൊഴിലുകൾ അധികവും പൗച്ചർ കൂടാതെ നടത്താവുന്നതാണ്. അതുകൊണ്ടു എന്റെ ഈ അഭിപ്രായം സ്വീകരിച്ചുകഴിഞ്ഞാൽ വകുപ്പ് ൫-ന്റെ ആവശ്യംതന്നെയില്ല. ഏതായാലും അങ്ങിനെ ഒരുധികാരം ഗവണ്മെന്റിനുണ്ടായിരിക്കുന്നതിൽ എനിക്കു വിരോധമില്ല.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): ഗവണ്മെന്റിന്റെ അധികാരം ശരിയായി ഉപയോഗിക്കുന്നില്ലെന്നുള്ള വിശ്വാസംകൊണ്ടാണോ മെമ്പർ ഇതു പറഞ്ഞത്?

MR. P. S. MAHOMED (*Co-opted*): ഗവണ്മെന്റിന്റെ അധികാരം ശരിയായി പ്രയോഗിക്കുകയില്ലെന്നു എനിക്കു വിശ്വാസമില്ല. വ്യവസായസംഗതിയിൽ ഗവണ്മെന്റു ഈ വിഷയത്തിൽ അത്രവളരെ ശ്രദ്ധിക്കേണ്ടതായി ഒന്നു തന്നെയില്ല. വ്യവസായം അഭിവൃദ്ധിപ്പെടണമെന്നും വ്യവസായത്തിനു തിരുവിതാംകൂറിൽ ഒരു വലിയ സ്ഥാനം വേണമെന്നും ഗവണ്മെന്റിനും ജനങ്ങൾക്കും ആഗ്രഹമുണ്ട്. ഗവണ്മെന്റു കൈകടത്തുന്നപക്ഷം അതു നശിച്ചുപോയങ്കിലോ എന്നും അവർ ഭയപ്പെടുന്നുണ്ട്. അതുകൊണ്ടു ഇങ്ങനെയുള്ള സംഗതികളിൽ ഗവണ്മെന്റു തലയിടുന്നത് നിവൃത്തിയില്ലെങ്കിൽ മാത്രമേയുള്ളൂ. തൊഴിലിനെ സംരക്ഷിക്കേണ്ടതും മുഴുവനും ജനങ്ങൾക്കാണ്. അതുകൊണ്ടു അവർ തന്നെ മുന്പോട്ടു വന്ന് തൊഴിലാളികൾക്ക് രക്ഷനൾകുന്ന സംഗതിയിൽ പ്രവൃത്തിക്കേണ്ടതാണ്.

MR. K. R. ELENKATH (*Kalkulam I*): ബില്ലിലെ ഡെഫനിഷൻ

[Mr. K. R. Elenkath.]

കൊണ്ടു പരമ്പർ ഉപയോഗിക്കുന്ന ഫാക്ടറികളും പരമ്പർ ഉപയോഗിക്കാതിരിക്കണമെന്നോ മെമ്പർടെ അഭിപ്രായം?

MR. P. S. MAHOMED (Co-opted): ഇന്നു പരമ്പർ ഉപയോഗിക്കുന്ന പല ഫാക്ടറികളും ഈ ബില്ലിന്റെ പരിധിയിൽനിന്നും വെളിയിൽ പോകാനായി ആ പരമ്പർ മറുസ്ഥലങ്ങളിൽ ഉപയോഗിക്കും. ഉദാഹരണത്തിനായി കയറു വ്യവസായംതന്നെ എടുക്കാം. കയറുവ്യവസായം ആദ്യമുതൽ അവസാനംവരെ അതായതു ഷിയാറിംഗുവരെ മെഷീൻ കൂട്ടാതെ തന്നെ നടത്താം. അതുകൊണ്ടു അതുവരെ മെഷീൻ വേണ്ടെന്നുവയ്ക്കാം. ഷിയാറിംഗു വേറെ വല്ല സ്ഥലത്തും കൂലികൊടുത്തും നടത്താം. ഇങ്ങനെ വരുന്നപക്ഷം ഈ ബില്ലിന്റെ പരിധിയിൽ നിന്നും പല ഫാക്ടറികളും വെളിപ്പെടുത്തുന്നതാണ്.

MR. E. V. KRISHNA PILLAI (Pattanamtitta): അതു ഫാക്ടറിയുടെ രംഗമല്ലേ?

MR. P. S. MAHOMED (Co-opted): അതു പ്രത്യേകം ഒരു ഭാഗമാണ്.

DEPUTY PRESIDENT: Mr. Mahomed, I would like to draw your attention to the definition of 'factories' given in the Bill. It says

'factory' means any premises including the precincts thereof whereon twenty or more workers are working or were working on any day of the preceding twelve months and in any part of which a manufacturing process is being carried on with aid of power, or is ordinarily so carried on but does not include a mine subject to the operation of the Travancore Minerals Regulations.

MR. P. S. MAHOMED (Co-opted): ഏതപറയുമ്പോൾ ഫാക്ടറികളായി 'precincts' നു വെളിയിലായി മെഷീൻ വച്ചാൽ അതു ഇതിന്റെ പരിധിയിൽ വരികയില്ല.

ഈ ബില്ലിന്റെ പ്രധാന ഉദ്ദേശം തൊഴിലാളികളുടെ ആരോഗ്യത്തേയും സുഖത്തേയും സംരക്ഷിക്കുന്നതിനുവേണ്ടി ചില നിയമങ്ങൾ ഉണ്ടാക്കണമെന്നുള്ളതാണ്. അതു പരമ്പർജോലി ചെയ്യുന്ന സ്ഥലത്തുള്ള തൊഴിലാളികളെ സംബന്ധിച്ച മാരകമായ പാടൊള്ളു എന്നു പറയുന്നതു ശരിയല്ല. പരമ്പർ ഇല്ലാത്ത സ്ഥലത്തുള്ള തൊഴിലാളികളേയും സംരക്ഷിക്കണം. അതിനാൽ റഗുലേഷൻ അതിനു പര്യാപ്തമായ നിലയിലാക്കണം.

ഈ ബില്ലിൽ തൊഴിലാളികളെ മറ്റു വയസ്സുമുതൽ മ വരെള്ള ജോലിക്കാർ, മ മുതൽ മ വരെള്ളവർ, അതിനുമേൽ പ്രായമുള്ളവർ എന്നു മൂന്നായി തിരിച്ചിട്ടുണ്ട്. ഇതിൽ മ മുതൽ മ വരെ പ്രായമുള്ളവർ സർട്ടിഫിക്കറ്റുസമ്പാദിക്കുന്ന പക്ഷം അവർക്കു അഡൽട്ട് സി

നെപ്പോലെ ജോലി ചെയ്യാം. കൂടുതൽ കൂലിയും കിട്ടും. ഈ സട്ടിഫിക്കറുകൊടുത്തില്ലെങ്കിൽ അവർ കുട്ടികളുടെ സ്ഥാനത്തു നിന്നുകൊള്ളണം. സർട്ടിഫിക്കറുകൊടുക്കുന്ന പക്ഷം മറ്റു മുതൽ മറ്റെ വരെ പ്രായമുള്ളതൊഴിലാളികൾക്കു അഡൽട്ട്സിനു കൊടുക്കുന്ന കൂലി കൊടുക്കാൻ മുതലാളികൾ നിർബന്ധിതരായിത്തീരും. ആ പ്രൊവിഷൻ ശരിയായി ഭേദപ്പെടുത്താത്ത പക്ഷം മറ്റു മുതൽ മറ്റെ വരെ പ്രായമുള്ള ചെറുപ്പക്കാരെല്ലാം മറ്റെ വസ്സു കീഴിലുള്ള കുട്ടികളുടെ കൂട്ടത്തിൽ ഉൾപ്പെടുന്നതാണ്. അങ്ങിനെ വരുന്നതു ചെറുപ്പക്കാർക്ക് ഒരു വലിയ നഷ്ടമാണ്. മുതലാളികളോടും തൊഴിലാളികളോടും സൗജന്യമനസ്ഥിതിയോടുകൂടി സെലക്ട് കമ്മിറ്റി പ്രവൃത്തിക്കുന്ന പക്ഷം ഇരുകൂട്ടർക്കും പ്രയാസപ്പെടുമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ബില്ലിന്റെ തലത്തെ ഞാൻ ശക്തിയായി അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Sir, as one representing commerce and industry, I stand for the employers. Naturally, I cannot be expected to represent the view-point of labour. (*Louder please.*) I represent, I may say, the inhuman element in the controversy (*Laughter.*)

As a representative of commerce, I would agree with my friend Mr. Janardanan Pillai and say that the Government must move very slowly in this matter. I think Government should not have interfered at all. For one thing, in Travancore, it is not merely industrial labour that we have. There is also agricultural labour (*Hear, hear.*) which forms more than fifty per cent. of the labour in the country. If the Government had interfered and enacted, some years ago, a measure affecting agricultural labour, there would not have been the economic trouble that we are now having.

Coming to industrial labour, Sir, my friend Mr. Krishna Pillai said that the factories in Manavalakurichi, the monazite factories, were giving very inhuman treatment to their labourers. Sir, those factories form part of my constituency. (*Laughter.*) People are flocking to me, I can say that from my own personal knowledge, people with qualifications which would have made them fit for the Dewan's post, are moving Heaven and Earth just to get them taken as coolies in these factories (*Hear, hear.*)

MR. M. SIVATANU PILLAI (*Tovara*): The member said something about the Dewan's post and the qualifications for that. I did not hear him fully. I would request him to repeat what he said.

DEPUTY PRESIDENT: If it is a material statement, and if you have no objection, you may repeat it, Mr. Chidambaram Pillai.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I was just saying, Sir, that people with very high qualifications were trying for coolies posts in the Manavalakurichi factories, as they were trying for low-paid Government jobs.

Recently, Sir, I heard that, as a relief measure, Government were trying to open up roads in the malaria-stricken area in the Neyyattinkara taluk. It was really interesting to hear that people stricken by malaria should be employed in opening up roads. I do not know how far the information I got was true. But, Sir, if the Government are going to employ malaria patients for cutting open roads, I cannot see how far we are justified in complaining that the employers of labour in Travancore are giving them inhuman treatment in the factories (*Laughter.*)

DEPUTY PRESIDENT: Obviously, that cannot be the case. It is only people who are able to work that are given work. People who are actually suffering from malaria cannot obviously be asked to work. (*Laughter.*)

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is the member aware that, after our relief measures, the malaria patients have put on more flesh?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): That only shows, Sir, that our employers of industrial labour are paying more attention to their labourers than the employers of agricultural labour. Anyhow, Sir, it was interesting to hear that people who, on account of malaria, were not able to stand up, were being asked by Government to cut open roads (*Laughter.*)

There is just one small matter. I had been to Quilon—it forms part of my constituency (*Laughter*)—and had an opportunity of visiting one of the casurina factories (*Laughter.*), I mean cashewnut factories. I was told that it was the most flourishing industry now in Travancore. But, in that factory I found nothing beyond some packing cases and cashewnuts. Absolutely no skill seem to be necessary for the labourers working there. I was also able to get one very interesting information there which I would like to place before the House, viz., that cashewnuts from South Africa were imported into Quilon and exported again as kernels to America. I was wondering why cashewnuts should travel all the way from South Africa to Quilon for being broken into kernels, by the people of Quilon, and then go to America. I was told that the reason was that labour was dead cheap in Quilon. Travancore is economically so poor that outsiders are exploiting it.

MR. K. R. ELENKATH (*Kalkulam I*): Is the member aware that, in the European countries and in America, they give preference to Travancore cashewnuts?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I suspect that argument.

MR. M. SIVATANU PILLAI (*Tovala*): Is there not difference in taste?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry South*): May be.

My illustration proves an economic principle, viz., as to why Japan is conquering China and why Italy is waging war against Abyssinia. Labour is very cheap in China, and Abyssinia is the seat of slavery. Italy says she wants to develop her industries, and wants cheap labour for that purpose.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): What about the position of Travancore where also labour is cheap?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I am coming to that.

Recently a Tariff Board has been started specially for protecting the textiles, all over India, against the competition from Lancashire and Japan. Unless the employer in India is allowed at least the help of the cheap labour available here, he cannot successfully compete with the foreign producer. Sir, these are matters which must weigh with the House when considering this Bill. Naturally, Mr. Janardanan Pillai is apprehensive about the effect of this measure on the industries of the country.

One more matter that we have to consider now is 'Have the Government any experience of the actual working of any industrial concern?'. Perhaps the Rubber Factory. But even that is only for demonstration purposes. Let there be no mistake about it. Therefore, as matters stand, Government should be the very last person to take part in any legislation affecting industries. They have absolutely no experience about them. One of my friends asked me whether the Government could not be trusted with the proper enforcement of rules. I am afraid, no. Government will prove a nuisance. As a matter of fact, the provisions of the law may read all right. But, when actually put into practice, they are sure to work great hardships. That is what Mr. Janardanan Pillai is apprehensive about. There is the Police Department, for instance. I have got great admiration for our Police and for our Police Regulation. If a man leaves Nagercoil for Trivandrum and gets into the bus at Nagercoil, he is taken straight to the Police Station for checking. For what, Heaven alone knows. No passenger could have grown in weight or lost his weight after getting into the bus. But still the rule is there, and the bus has got to be checked, and that only after all the passengers have got into the bus. Sir, there is no meaning in this kind of checking; but still when we discuss it technically, there is something in it. Similarly, when this Bill is passed, it is sure to work great havoc, so far as the employer is concerned, when it is actually put into effect. As matters stand, we are not industrially very strong. Outsiders are all right. Our poor people cannot compete with them. That is why I agree with Mr. Janardanan Pillai that the Government must move very slowly in this matter.

Therefore, unless there is a very compelling necessity for a legislation of this kind, Government are not justified in moving in the matter; and I would suggest that the Bill be dropped for the present.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): What about the existing Regulation? Can it be worked properly?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): No. Scrap that also. (*Laughter.*)

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I want to make one observation with regard to the argument advanced by Mr. Chidambaram Pillai. When Act XXV of 1934 was before the Indian Legislative Assembly, the representatives of the employers advanced the very same arguments that Mr. Chidambaram Pillai has now advanced here. It was argued there also that, compared with America and Europe, India supplied cheap labour and that that was solely responsible for the little headway that the Indian industrial concerns were able to make.

But it was brought home to them that the member in charge of the Bill was fortified by facts gained by the experience of ever so many Factory Inspectors who were inspecting those factories from time to time and who stated that it was really a very sad state of affairs. Simply because we want to enrich certain people by placing them in a position of advantage when compared to foreign capitalists and proprietors of industrial concerns, we should not lose sight of the fact that we are not allowed to exploit the poor people here. It is neither correct nor humane. Conditions here in Travancore are not very much dissimilar to the conditions obtaining in British India. It was said that, unlike in British India, there is what is called agricultural labour here. I submit on that point there is not much difference between British India and Travancore.

According to the statistics of 1109, we have got here about one hundred and twenty-five factories, each employing 20 and more than 20 people and the total number of labourers therefore is about 16,000. If we take into consideration the factories which also can be brought under the purview of this Bill, the number will swell up to 25,000 odd. We are here legislating for a substantially big section of the people; and as such, it is not very much true to say that the conditions here in Travancore do not warrant a legislation of this kind. The point stated here was also a point raised in the Indian Legislative Assembly, where Mr. Mody, representing the employers, asked Sir Frank Noyce whether it was wise to allow the British Indian capital to flow into Indian States, where labour legislation was not so very hard as in British India and an appeal was made to the Government Member in charge of the Bill to see that Indian States also were persuaded to come into line with British India. Even if it is a fact that as a result of restrictive measures in British India capitalists are likely to go to Indian States, that is absolutely no justification for us to say that their interests ought to be safeguarded with the cheap labour supplied here. It means this that we should not obstruct those people coming here and making greater profit than they can make elsewhere. On the other hand, the viewpoint should be that, taking advantage of their presence here, the poor people here ought to be benefited. So, that is a point that goes against the contention raised in this House by some.

Coming to the general principles of the Bill, the point raised by Mr. P. S. Mahomed in regard to the definition of factory is, I think, a very sound one. As it was described by him, it would be quite convenient for anybody to keep power employing fifteen people and then serve all the factories around so that all those factories employing five hundred to one thousand people can be left out of the operation of this Regulation. Therefore, even though there is a saving clause in the Bill empowering the Government to declare any premises as a factory, it is better that the definition is modified on the lines of the suggestion made by Mr. P. S. Mahomed.

There are also certain omissions. Even though provision has been made here for child labour, female labour and all those things, there is absolutely no mention made about the labour of females immediately before and immediately after child-birth.

DEPUTY PRESIDENT: You use the word labour in a definite sense?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): No. What I want is that it should be made compulsory that no woman for a month immediately before and immediately after child birth is allowed to work in a factory. About the fee for the medical examination of children, the Regulation is quite silent. It is made obligatory on the part of the guardian or parent in the case of children seeking labour in factories to obtain medical certificates of fitness from surgeons. Who is to pay for the medical certificate? That is a point on which the Bill is silent.

There is a very pernicious system going on in factories. Even though the Bill does not prescribe any condition as to rates of wages, in a way removed from that though intimately connected with that, there is one very pernicious system which, according to Mr. Janardanan Pillai, gave rise to upheavals in Alleppey. The employer depends upon the labour contractor who takes the labourers to the factory. It is this contractor who receives the wages on behalf of the labourers and he takes about fifty per cent. commission. That is a thing which can be penalised by means of provisions in the Bill.

Lastly, I do not see why this six months' time is given in regard to the operation of Section 75.

The Section says:—

"No court shall take cognizance of any offence under this Regulation or any rule or order thereunder other than an offence under Section 62 or Section 64 unless complaint thereof is made within six months of the date."

Six months is the period prescribed in the British Indian legislation. When this point was raised in the Indian Assembly, the member in charge replied that otherwise it would be very difficult for Labour Inspectors to go round and complete their inspections and then attend to such papers as these. It was thus that the period was fixed as six months there and in the proviso it was fixed as 12 months. I do not think it is very reasonable that we adopt that provision here, in view of the fact that there is not much inspection work and the number of factories in the State is not so very large as in British India.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is the member of opinion that the period should be reduced?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Yes. In regard to complaints, with reference to which evidence has to be taken, if they are allowed to hang fire for six months or twelve, the chances are that reliable evidence may not be forthcoming. These are the only suggestions I have to make in regard to this Bill; and with these suggestions, I support the motion.

MR. K. M. KRISHNAN (*Ambalapuzha II*): ഈ ബില്ലിലെ തത്വത്തോടു ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു. തൊഴിലാളികളും മുതലാളികളും യോജിപ്പോടുകൂടിയാണ് കഴിച്ചുവരുന്നതെങ്കിലും സ്‌ട്രൈക്ക് ഉണ്ടാവുകയെന്നുള്ളതു സാധാരണമാണ്. ഈ സ്‌ട്രൈക്കിനു കാരണമാകുന്ന സംഗതികൾ എന്തെല്ലാമാണെന്നു എന്റെ മാനുസ്സേഫിതന്മാർ പലരും ഇവിടെ പ്രതിപാദിച്ചുകഴിഞ്ഞു. അതിൽ പ്രധാനമായ ഒരു കാരണം കൂലി കറക്കുന്നതിൽ മുതലാളിമാർ കാണിക്കുന്ന താല്പര്യമാണ്. യാതൊരു ടിസ്ഥാനവുമില്ലാതെ കൂലിനിരക്കു പലപ്പോഴും കുറയ്ക്കുന്നുണ്ട്. തൊഴിലാളികൾ പ്രയത്നിച്ചുണ്ടാക്കുന്ന ചക്രത്തിൽ ഒരുഭാഗം മൂപ്പന്മാർ എന്നു പറയുന്ന ഒരു കൂട്ടർ തലച്ചുരും ഏതും മറ്റും പേരുപറഞ്ഞു തൊഴിലാളികളിൽനിന്നും കൂലികൊടുക്കുന്ന സമയത്തു പിരിച്ചെടുക്കുന്നുണ്ട്. സ്റ്റേഫിതന്മാരെ സഹായിക്കുന്നതിനും മറ്റുമായി നാടകം കറിക്കുകയും തൊഴിലാളികളെ നിർബന്ധമായി ഏർപ്പിച്ച് പണം പിരിച്ചുവരുന്നുണ്ട്. ഇതു തൊഴിലാളികൾക്കു മനസ്സിലാതേയും മൂപ്പന്മാരെ തൃപ്തിപ്പെടുത്താൻവേണ്ടി മാത്രവും ആയി ചെയ്യുന്ന ഒരു പ്രവൃത്തിയാണ്.

MR. M. L. JANARDANAN PILLAI (*Co-opted*): വല്ല ക്ഷേത്രങ്ങളിലേയും ആവശ്യത്തിനു ആരുടൊറ്റുകിലും ആവശ്യപ്രകാരം ടിക്കറ്റുവിറ്റു തൊഴിലാളികളിൽനിന്നും പണം പിരിച്ചുകൊടുത്തിട്ടുള്ളതറിയാമോ?

MR. K. M. KRISHNAN (*Ambalapuzha II*): അങ്ങനെ എനിക്കറിയാവുന്നതുകൊണ്ടാണ് ഞാൻ പറയുന്നത്.

DEPUTY PRESIDENT: പണം കൊടുക്കണമെന്നോ വേണ്ടായെന്നോ വല്ല വകുപ്പുകളും ഈ ബില്ലിൽ ഉണ്ടോ?

MR. K. M. KRISHNAN (*Ambalapuzha II*): അങ്ങനെ വകുപ്പുകൾ ഇല്ലാത്തതുകൊണ്ടു അതിനുകൂടി വേണ്ട പരിഹാരം ഉണ്ടാകത്തക്കവണ്ണം ബില്ലിൽ ഭേദഗതി ഉണ്ടായിരിക്കണം എന്നാണ് എന്റെ അഭിപ്രായം.

അതിനാൽ ഈ ബിൽ സെലക്ട് കമ്മറ്റി പര്യാലോചിക്കുമ്പോഴോ അല്ലെങ്കിൽ സെലക്ട് കമ്മറ്റി റിപ്പോർട്ട് ഈ സഭയുടെ പര്യാലോചനക്കു വരുമ്പോഴോ ഈ സംഗതി പരിഹരിക്കത്തക്കവണ്ണം വേണ്ട ഭേദഗതികൾ നിർദ്ദേശിക്കണം എന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ ഈ ബില്ലിലെ മൂലതത്വത്തോടു അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. M SIVATANU PILLAI (*Tovalla*): Sir, I also rise to support the Bill before the House. In the first place, I may assure the House that we cannot get out of the situation that, when a particular measure is adopted in British India, it has got to be copied here to the very letter, whether the conditions in our State do really warrant such an enactment. The Law Member himself has admitted this when he said that such a legislation has been given effect to some years back in British India that, we are far behind British India in regard to this, and that there is no justification for us to lag behind. That is the first argument which convinces me that a legislation of this nature is necessary.

Secondly, it occurred to me that humane feeling in the form of milk and honey was overflowing from the Government in favour of the labourers. I also wish to imitate them; and in doing so I have got this other argument in support of my position. Whether the labourers do really deserve any paternal attitude either from Government or from us, all the same it is in perfect consonance with the traditions of our Government that we must have a paternal outlook on them. In consonance with that tradition, this Bill has got to be introduced.

Thirdly, whether there is work enough for all our labourers is not a question for us to consider at this stage. Legislation is intended with the best of motives to balance situations. When there is exploitation or unfairness on one side, the legislature steps in and cries halt. I have yet to learn whether there is sufficiency of work for all the labouring classes in the State. That is why Mr. Chidambaram Pillai remarked that labour in Travancore is very cheap. As was said by those who are competent to say, there is no work in India for all. India does not want any God to worship. They want work and wages. The work is not sufficient at all for our labouring classes. Such being the case, instead of allowing people to die of starvation they must be given some work and wages. The number of people who depend upon labour is very great. So they will be satisfied with any work and any wage. As compared to British India, there is not much work here. But in British India, there is exploitation by foreign capitalists. There is also exploitation of agricultural labour. That is no reason why industrial labour should be put on a different footing from agricultural labour. That will be an incentive for them to organise themselves. It is safer to leave that to the labourers themselves. There is a plethora of labouring class. What is the necessity for these people to organise labour? In the case of employers, I may say that in some cases there is no wide margin of difference in earning between the employer and the labourer, for instance, an agricultural employer who

[Mr. M. Sivatanu Pillai.]

employs about 20 persons may not have much difference from them. I can understand the exploitation of the capitalist who simply sits tight on his labourers. I have no objection if you include that sort of capitalists. Under the definition in this new Bill, if a man employs 20 persons, he will come under the purview of the law. I can understand what is being said about the monazite factory at Colachel. That has got out of control. There is no means of preventing the persons who ask the labourers to work first for six hours and, after an interval, for another six hours. That is the position in Manavalakurichi monazite factory. I will give another instance. The Manager of that Firm about two years ago wanted to construct a big cement reservoir. He did not consult the engineers as he thought he could himself do it. The reservoir was about 15 to 17 feet high above the ground. Soon after it was constructed, he wanted to let in water. As soon as water filled the tank, it gave away. Four coolies who were there got serious injuries, of whom two died. In such cases, legislation is necessary to prevent managers from doing such work. But if some people, say, at Quilon, join together and begin the cashewnut industry, that should not be classified as an industry under this Bill. What I wish to emphasise is that this law is liable to be abused. Our experience of entrusting power with Government has not been hopeful. That is why members object to give power to Government to say whether a particular institution should be called a factory or not.

MR. K. R. ELENKATH (*Kalkulam I*): May I ask whether the member opposes the Bill because he objects to the definition of the term 'factory'?

MR. M. SIVATANU PILLAI (*Tovala*): If the member had followed me closely, he would not have misunderstood me as opposing the Bill.

DEPUTY PRESIDENT: That is putting the House in a very difficult position. Mr. Elenkath put a question. Your answer was that, if he had followed your speech, he would have known whether you opposed the Bill or not. What is your position?

MR. M. SIVATANU PILLAI (*Tovala*): I think a correct and complete definition of factory should be inserted so that Government will not have any latitude. The matter should not be left to the discretion of Government. We can as well define what an elephant or a horse is like and say that such and such an animal shall be called an elephant or a horse. According to Government, one institution may not be a factory. If they say so, they will be able to defeat even the purpose of the legislation. There are many instances like that. I do not object to the introduction of the Bill. All that I say is that the definition should be made clearer and more complete.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Who is to decide whether there is exploitation in a particular place or not?

MR. M. SIVATANU PILLAI (*Tovala*): I do not mean exploitation in the sense in which you and I understand it. A cooly may be paid 10 chs. a day, but he will be put to very great difficulty by hard work. As a great philosopher put it, 'His pity gave ere charity began'. If the employer or the landlord gives only 10 or 12 chs. a day, he should get only so much return equivalent to the wage.

DEPUTY PRESIDENT: Let me just clarify the issue. You think the definition is faulty. Have you got any root ideas that may be taken note of by the House?

MR. M. SIVATANU PILLAI (*Tovala*): Yes, Sir, I have got some hazy ideas. They may be considered as root ideas. I am only saying that the definition is not satisfactory to me. That is all that I say.

The last argument, and the fundamental argument, in favour of this Bill is that, when it is passed into law, it is not going to be given effect to. A legislation was passed in 1102, but it was kept idle all along till two years ago as the Cinamotograph Regulation. If the definition as contained in this Bill is accepted, there will be a lakh and odd factories. The Government will be put to the difficulty of finding out which are the factories that will come under the definition. Lastly the persons who are to be appointed as inspectors have to be chosen very carefully. Mr. Janardanan Pillai was saying that the District Magistrate has multifarious duties. As Mr. Krishna Pillai was saying, he may be ignorant even of the present Regulation. Or there may not be a competent clerk to inform him of the provisions of the Regulation and interpret them to him.

DEPUTY PRESIDENT: It is very uncharitable to say that the District Magistrate is dependent upon the clerk.

MR. M. SIVATANU PILLAI (*Tovala*): I am very uncharitable, because I am referring to the charity of other persons. They are not at all competent. Because the Dewan Peishkar and the District Magistrate are the same person, there is a lot of difficulty.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I ask the member whether he knows that in spite of the Cattle Trespass Regulation, so many cows are roaming over the town of Trivandrum?

MR. M. SIVATANU PILLAI (*Tovala*): The Police ought to have attended to that. But the Commissioner has got motor duties to attend to.

Perhaps I may be found fault with as being cynical. But I cannot help it. All that I am saying is that if the present Bill, when it becomes law, is not going to be operative as the present Regulation, what is the use of spending public money and time in passing this Law.

DEPUTY PRESIDENT: That question does not arise.

MR. M. SIVATANU PILLAI (*Tovala*): My main point is whether after all a situation has arisen as is depicted by Mr. Chidambaram Pillai to warrant a measure of this kind. To my knowledge, no such situation has cropped up. Let us, in a most humble way, with a perfect sense of humility think that such a situation has not arisen in

[Mr. M. Sivatanu Pillai.]

Travancore. No doubt there are factories in Travancore. As Mr. Tolson, the member representing the Planting constituency seemingly stated, this Bill will not affect big factories and such of the factories as are existing are prepared to follow the provisions contained in the Bill strictly. But to my mind it is not possible to enforce these conditions strictly in the so-called factories of Travancore. In other words, the so-called factories by enforcing such provisions will be hit hard. And they cannot be called factories according to the definition which I have in mind. The term 'factory' stands in need of correct definition. With these words, I should not be understood that I have objection in allowing the Bill being taken into consideration.

MR. A. EASWARA PILLAI (*Kalkulam II*): Sir, I support the principle of the Bill. This Bill only amends the existing Regulation of 1089. It is a surprise to me to find that some of the members of this House want the Bill to be dropped. Their reason for saying so is that the financial position of the country is not sound to take up and work the provisions of this Regulation. We are not concerned with the financial aspect of the Bill.

DEPUTY PRESIDENT: I must correct the member. Some of the members referred to the economic aspect, not the financial aspect.

MR. A. EASWARA PILLAI (*Kalkulam II*): Yes, Sir. We are here concerned with the labourers and employers. In my constituency, there are three factories. One is the Sugar Factory at Thuckalai; the second one is the Travancore Minerals Company at Manavalakurichi; and the third is Messrs. Hopkins and Williams Company working in minerals.

MR. M. SIVATANU PILLAI (*Tovala*): Is the Sugar Factory working now?

MR. A. EASWARA PILLAI (*Kalkulam II*): As for that matter, I can say that it is in a working condition.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Are they not to be excluded under the definition of the factory in the present Bill?

MR. A. EASWARA PILLAI (*Kalkulam II*): In my opinion, it is not.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): My question is, are they not to be excluded under the definition of the factory in the present Regulation?

MR. A. EASWARA PILLAI (*Kalkulam II*): In my opinion, it is not.

DEPUTY PRESIDENT: The member has given his opinion and it is to be taken for what it is worth.

MR. M. SIVATANU PILLAI (*Tovala*): Are there not salt factories in the member's constituency?

MR. A. EASWARA PILLAI (*Kalkulam II*): No. The one factory at Colachel is not working now.

MR. K. R. ELENKATH (*Kalkulam I*): Are there not some factories other than those mentioned by the member?

DEPUTY PRESIDENT: Whether there is this factory or that in Mr. Easwara Pillai's constituency is a question which is very remote. We are now concerned with the provisions of the Bill.

MR. A. EASWARA PILLAI (*Kalkulam II*): In my opinion, for the sake of the employer and the employee, such a Regulation is absolutely necessary.

Some of the members were saying that, by introducing this Regulation, the safety of men, women and children working in these factories can be better maintained. That is true to a large extent. The employer can also command more respect and more labour by acting up to the provisions of this Bill. Sir, I know in the Minerals Factory mentioned by me there are even small boys below the age of ten and twelve who are compelled to work day and night. If this Regulation is put into effect, such children will safely go away and turn their attention to education in schools rather than die in these factories.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know the number of employees in this factory?

MR. A. EASWARA PILLAI (*Kalkulam II*): More than a thousand including men, women and children.

Sir, I have very great pleasure in supporting the Bill now before the House.

MR. K. PADMANABHAN (*Chirayinkil I*): I have great pleasure in supporting the principle of the Bill with a few modifications. No doubt the Bill is intended to ameliorate the conditions of the factory labourers obtaining in Travancore. So far as I have been able to gather from the discussion, the main objection raised seems to be that such a Bill is premature and that there is no organised move on the part of the labourers demanding such a piece of legislation. However that be, it has to be conceded, either today or tomorrow, this House will have to consider a similar measure. It is also admitted that in British India there is a similar legislation.

DEPUTY PRESIDENT: Is it your opinion that we have nothing to face to-day?

MR. K. PADMANABHAN (*Chirayinkil I*): I was submitting that either today or tomorrow we will have to consider this question.

MR. K. MAHOMED (*Alwaye*): Do you want it today is the question.

MR. K. PADMANABHAN (*Chirayinkil I*): The present Bill has been brought up after a lot of labour in the present form. In my view it is rather idle to say that the recent labour disturbances at Alleppey and Quilon are due to the political situation in our country. It is far from that. We cannot but concede that, in the matter of fluctuations in wages and the insanitary conditions of factories, labourers are labouring under serious difficulties. On account of the fact that the Bill is a bit

[Mr. K. Padmanabhan.]

premature, it is not wise on our part to say that the Bill should be dropped all on a sudden. However, I do not say that the Bill as framed and placed in this House is free from defects.

The Honourable Member representing the employers' interests has been telling us that the Bill is likely to cause some hardship to small industries in the State. I endorse his opinion. The Bill, as it is, if passed through, is likely to affect adversely industries such as coir yarn spinning and weaving and such other handicrafts.

Mr. P. S. Mahomed has been suggesting that the definition of factory in the Bill is defective and he wanted to omit the words "with the aid of power". In that respect, I hold a diametrically opposite view. My main objection is that the Bill gives very wide powers to Government to include all sorts of factories. Clause 5 is what I am referring to. If this is deleted, I have no objection. The smaller industries then would not come within the purview of this Bill. With these observations, I have great pleasure in supporting the principle of the Bill.

MR. N. E. VARUGHESE (*Tiruvalla I*) : സർ, ഈ ബില്ലിലടങ്ങിയിരിക്കുന്ന തത്വത്തോടു ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു. ലോകത്തു തൊഴിലാളികളെന്നും, മുതലാളികളെന്നും, സാധുക്കളെന്നും, ധനചാന്മാരെന്നും, ഉള്ളവകളേയും വളരെക്കാലമായിട്ട് നിലവിലിരിക്കുന്ന ഒന്നാണു്. ഈ ബില്ലിലെ തത്വം മനുഷ്യർ മനുഷ്യരോടു മനുഷ്യരായിട്ട് പെരുമാറണം, മൃഗങ്ങളോടു പെരുമാറുന്നതുപോലെ പെരുമാറരുത് എന്നുള്ളതുമാത്രമാണു്. ഒരു കർഷകരാജ്യമായ തിരുവിതാംകൂറിൽ കൃഷികൊണ്ടുമാത്രം ജനങ്ങൾക്കു രക്ഷയില്ലെന്നു കാണുകയും അതിന്റെ പരിഹാരത്തിനായി തിരുവിതാംകൂറിനെ വ്യവസായികരിക്കണമെന്നു ജനങ്ങളുടെയിടയിൽ മുറവിളി ഉണ്ടാവുകയും, അതിനെ ആസ്പദമാക്കി വ്യവസായപരമായ എത്രത്തോളം പദ്ധതികൾ നടപ്പിലാക്കാമോ അത്രത്തോളം പദ്ധതികൾ നടപ്പാക്കാമെന്നു ഗവണ്മെൻറു സമ്മതിക്കയും ചെയ്തിട്ടുണ്ടു്. ഉദാഹരണമായി, തിരുവനന്തപുരത്തെ റബ്ബർഫാക്ടറി നടപ്പാക്കിക്കഴിഞ്ഞു. കൊല്ലത്തിനു സമീപം കളിമണ്ണകൊണ്ടുള്ള വ്യവസായമുണ്ടാക്കാൻ ഗവണ്മെൻറു തീരുമാനിച്ചിരിക്കുന്നു. ആലുവയിൽ ഒരു പേപ്പർ വ്യവസായശാലയുണ്ടാക്കാൻ ഗവണ്മെൻറു ഗാഢമായി ചിന്തിച്ചുകൊണ്ടിരിക്കുന്നു. ഇതിന്റെയെല്ലാം ഉദ്ദേശം പൊതുവായിട്ട് വ്യവസായമാർഗ്ഗങ്ങളിൽ ജനങ്ങളെ തിരിച്ചുവിടണമെന്നും അതു ഗവണ്മെൻറുതന്നെ ആദ്യമായി നടത്തക്കുറിക്കണമെന്നുമാണു്. ഇതിന്റെഫലമായി ജനങ്ങൾ പല തൊഴിലുകളിലും ഏർപ്പെടുന്നതിനു് ഇടയുണ്ടു്. ഇതിന്റെ ഫലമായി മുതലാളികളും തൊഴിലാളികളും തമ്മിലുള്ള നിലയെ സംബന്ധിച്ചു ഒരു കയർ

പിടിത്തത്തിന്നും ഇടവന്നേക്കും. ഈ സംഗതി മനസ്സിൽ വച്ചുകൊണ്ട് ആലോചിക്കുമ്പോൾ അവരുടെ ബന്ധത്തെ ഏതെല്ലാത്തരത്തിൽ ക്രമീകരിക്കാമോ ആ തരത്തിലെല്ലാം ക്രമീകരിക്കേണ്ടത് ആവശ്യമായി വരുന്നു. അതിനായി മറ്റു രാജ്യങ്ങളിലുണ്ടാക്കിയിട്ടുള്ള ചട്ടങ്ങളെ മനസ്സിലാക്കി അതിനനുസരണമായ ചട്ടങ്ങളുണ്ടാക്കാൻ ഗവണ്മെൻറ് നിശ്ചയിക്കുകയും ഒരു ബിൽ ഈ സഭയിൽ കൊണ്ടുവരികയും ചെയ്തതിൽ ഞാൻ ഗവണ്മെണ്ടിനെ ഗാഢമായി അനുമാദിച്ചുകൊള്ളുന്നു. വ്യവസായങ്ങൾ വർദ്ധിച്ചുവന്നതിനുശേഷം തൊഴിലാളികളും മുതലാളികളും തമ്മിൽ കയറുപിടിത്തം വരികയാണെങ്കിൽ അതു കൂടുതൽ കലാപങ്ങൾക്ക് ഇടയാക്കും. അതിനാൽ അങ്ങിനെ വരുന്നതിനുമുമ്പുതന്നെ ഈ സംഗതിയിൽ മുന്പിട്ടുറങ്ങിയത് ബുദ്ധിപൂർവ്വകമാണ്. "Prevention is better than cure" എന്നുള്ള പ്രമാണം വളരെ സ്ഥികാര്യമാണ്. തിരുവിതാംകൂറിലെ വ്യവസായം അഭിവൃദ്ധിയെ പ്രാപിക്കുവാനിടയുണ്ട്. അങ്ങിനെ അഭിവൃദ്ധിയെ പ്രാപിച്ചുല്ലെങ്കിൽ തിരുവിതാംകൂറിനു നിലയില്ല. ഇതെല്ലാം ആലോചിച്ചു തൊഴിലാളികളോടു ദയാപരസ്സരം മനുഷ്യരോടെന്നപോലെ എന്ന പെരുമാറ്റത്തെക്കുറിച്ചുള്ള ചില ചട്ടങ്ങൾ മാത്രമേ ഈ ബില്ലിൽ രൂപീകരിച്ചിട്ടുള്ളൂ. കാനത്തരത്തിൽ ഈ ചട്ടങ്ങൾതന്നെയും പോരാതെ വന്നേക്കുമോ എന്നാണ് എന്റെ ബലമായ സംശയം. ഏതു തരത്തിൽ നോക്കിയാലും ഈ ബിൽ വളരെ അത്യാവശ്യമാണ്.

എന്നാൽ ഇതിലടങ്ങിയിരിക്കുന്ന ഒരു വകുപ്പിനെ സംബന്ധിച്ചു എനിക്കു സംശയമുണ്ട്. അതായത് ബില്ലിൽ എഴുപത്തി ഒൻപതാം വകുപ്പ്. "This Regulation shall apply to Factories belonging to Our Government". അതായത് ഗവണ്മെൻറ് ഫാക്ടറികളിലും കുറുകരമായ പ്രവൃത്തികൾ ചെയ്താൽ ആരെയെങ്കിലും ശിക്ഷിക്കണമെന്നുവരുമല്ലോ. ഈ ചട്ടങ്ങൾ ഗവണ്മെൻറ് ഫാക്ടറികളെ സംബന്ധിപ്പിക്കണം. സംബന്ധിപ്പിക്കണമെങ്കിൽ ഈ ബില്ലിലെ ചട്ടത്തിനു വിപരീതമായി വല്ല കുറവുചെയ്താൽ ആരെയാണ് പിടിക്കുന്നത്? "Occupier" എന്ന ഇതിൽ പറഞ്ഞിരിക്കുന്നത് ഗവണ്മെൻറ് ഫാക്ടറികളെ സംബന്ധിച്ചു ആരാണ്? ഈ സംഗതികൾ ബില്ലിൽ വ്യക്തപ്പെടുത്തിയില്ലെങ്കിൽ പ്രയോജനമില്ല. ഗവണ്മെൻറ് വ്യവസായ ശാലകളെ സംബന്ധിച്ചു ഇങ്ങനെ ഒരു കുറവു ചെയ്തതായി കണ്ടുപിടിച്ചാൽ ഓരോരുത്തരായി ഞാനല്ല ഞാനല്ല എന്നു പറഞ്ഞു ചുമതലയൊഴിക്കും. തിരുവനന്തപുരത്തുതന്നെ ഗവണ്മെൻറ് വ്യവസായശാലകൾ പല

തുമുണ്ട്. വർഷാപ്പിൻ ഒരു കുറവുകളാൽ ആരെയാണ് പിടിക്കേണ്ടത്? ഫോർമാനേയോ, സുപ്രണ്ടിനേയോ, ചീഫ് എൻജിനീയറേയോ ആരെയാണ്? „Ultimate control” ആർക്കാണ്? ഫോർമാനോ? സുപ്രണ്ടിനോ? ചീഫ് എൻജിനീയറോ? അതല്ല ദിവാൻജിക്കുതന്നെയോ? ദിവാൻജിക്കാണെങ്കിൽ പ്രാസിക്യൂട്ട ചെയ്യുന്നതെങ്ങിനെയാണ്?

DEPUTY PRESIDENT: ദിവാൻജിക്കാണെങ്കിൽ പ്രാസിക്യൂട്ട ചെയ്യാൻ പാടില്ലെന്നാണോ പറയുന്നത്?

MR. N. E. VARUGHESE (Tiravalla I) : ദിവാൻജിയെ പ്രാസിക്യൂട്ട ചെയ്യാൻ പാടില്ലെന്നാണ് എന്റെ അഭിപ്രായം. ചീനൽക്കോടിൻ പ്രകാരം ഉള്ള വല്ല കുറവുചെയ്താൽ ഒരു ഒന്നാം ക്ലാസ് മജിസ്ട്രേറ്റിനു ദിവാൻ ഉദ്യോഗം വഹിക്കുന്ന ആളിനെ ശിക്ഷിക്കാമെന്നല്ലാതെ മറ്റുതരത്തിൽ ദിവാൻജിയെ പ്രതിയാക്കി വിചാരണ നടത്താൻ പാടില്ല. അങ്ങിനെ ആകാമെന്നുണ്ടായിരുന്നാൽ അതു ഭേദപ്പെടുത്തണം.

ഇങ്ങിനെ ദുർവ്യാഖ്യാനം കൊടുക്കാവുന്ന ഈ വകുപ്പു ഗവണ്മെൻറു തൊഴിൽശാലകളെ സംബന്ധിച്ചിടത്തോളം അതുമുള്ളതല്ല. തന്നമിത്തം അവകൾ കണ്ടുമാനമൊക്കെ നടത്തപ്പെടും. തിരുവതാംകൂറിലെ നിയമങ്ങളെ സംബന്ധിച്ചുനോക്കുകയാണെങ്കിൽ ഡിപ്പാർട്ട്മെൻറുകൾക്കു ഒരു ചട്ടവും ജനങ്ങൾക്കു വേറൊരു ചട്ടവുമായിട്ടാണ് കാണുന്നത്. ചട്ടങ്ങൾ ഗവണ്മെൻറു നന്നെ ആചരിക്കുന്നില്ല. ഉദാഹരണമായി എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ട്മെൻറിന്റെ എടുക്കാരം. വിദ്യാലയങ്ങൾക്കു ഒരു ക്ലാസ്സിനു ഇത്ര അടി വീതി ഇത്ര അടി നീളം ഉണ്ടായിരിക്കണം; ഇത്ര ക്യൂബിക് ഫുട് വായുസഞ്ചാരം കിടക്കണം, എന്നും മറ്റുമൊക്കെ ചില രൂളുകൾ ഉണ്ട്. അതിനു വിചരിതമായി കെട്ടിടങ്ങൾ കെട്ടി വിദ്യാലയങ്ങൾ നടത്തുന്ന എയിഡഡ് സ്കൂളുകളുടെ റെക്കഗ്നിഷൻ പിൻവലിക്കുകയും ഗ്രാൻറു നിറുത്തുകയും ഒക്കെ ഗവണ്മെൻറു ചെയ്യുന്നുണ്ട്. എന്നാൽ വളരെ മോശമായനിചയിലുള്ള കെട്ടിടങ്ങളിൽ നാത്തൊരു ചട്ടവും ആചരിക്കാതെ നടത്തുന്ന പല സ്കൂൾ പള്ളികളുണ്ടുണ്ട്. അപകടയാത്തൊരു ശിക്ഷയും ഇല്ലല്ലോ. അതുപോലെ ഈ ഫാക്ടറി റഗുലേഷൻ സംബന്ധിച്ചും വരാതിരിക്കത്തക്കവണ്ണം ഗവണ്മെൻറു ഫാക്ടറികളിൽ കുറവു കാണിച്ചാൽ അതിന്നു ഇന്നാറെ കുറവു കാണാമെന്നു വിശദപ്പെടുത്തണം. ഈ അഭിപ്രായത്തോടുകൂടി ഞാൻ വിരമിച്ചുകൊള്ളുന്നു.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, I rise to support the principle underlying the Bill under discussion. The principle involved in this Bill is a very sound one and, in my view, quite unobjectionable. This is not the first time that a Factory Bill is placed in our Statute Book. For the first time a similar Bill was passed more than 20 years ago, though all the rules necessary for the working of the Regulation were not passed and so practically the measure was a dead letter.

DEPUTY PRESIDENT: That has been said a number of times. Not that I want to fetter your discussion.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): That was because the industrial condition of those years did not necessitate the prompt working of the measure. But now the times have changed and labour is getting more and more organised. Labour is day by day clamouring for privileges and rights. And certainly the State which is just an impartial arbitrator between labour and the employer has to intervene and do the needful and hence a measure of this nature. Sir, a good deal of suspicion surrounds the consideration of a measure of this kind. I fear that the measure is being viewed as a class legislation, that is to operate adversely against one class and at the same time to profit unduly another class of the community. In my humble view, there is no such thing. It is not a class legislation, it is conceived in the larger interests of the community as a whole.

Sir, we have to view a measure of this nature from three important stand-points. First of all there is what is called the International Convention. It is an international obligation. All civilised States are bound to place a measure of this kind in their Statute Book in order to keep up the international equilibrium in labour conditions. Such a measure is absolutely necessary. To illustrate my point, I may say that if a Factory Bill is passed in British India and if there is not such a measure in the adjoining State of Travancore certainly, there will be what is called economic mis-equilibrium and it is in order to avoid such a mis-equilibrium that what is called the Geneva Convention or the International Convention to be observed by all the civilised countries has been passed. Sir, we all know that, according to the Geneva Convention, there is what is called the 40-hour week which all the civilised members of the League are bound to observe. It is an important feature which we have to introduce in regard to the labour legislation. To some extent a Factory Bill or such other enactment is an extra-territorial law. All our laws passed in this House are mostly territorial, intended to operate only within the bounds of the four corners of the State. But, Sir, a labour law like this, a Factory Bill, a Workmen's Compensation Act or a Trade Disputes Act, is to some extent an extra-territorial law.

DEPUTY PRESIDENT: We can pass laws only for Travancore.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I am using the expression in order to illustrate the point that the effect of a labour law will be felt not only in the country which passes it but also in the

[Mr. Pacode A. Narayana Pillai.]

neighbouring countries. It is by virtue of an international obligation and in pursuance of international convention that all civilised countries find it necessary to place such an enactment in their Statute Books.

Secondly, this measure has to be viewed from another standpoint *viz.*, the humanitarian standpoint. This is an important piece of social legislation. I do not mean by social legislation measures like the Nayar Regulation, the Ezhava Regulation or the Vellala Regulation. This is passed in the larger interests of the society. No one in this House will deny that conditions of labour should be improved in all factories. No one will deny the amenities of sufficient light and ventilation for working men working in factories. No one will deny that. It is only a humanitarian problem. There should be sufficient leisure and rest hours during working days. There must be provision for that. The health of the working men should be properly attended to. There should be medical men to attend to the work men in case they fall ill. Sanitary arrangements should be made. These are matters which any civilised Government should introduce in a measure like this and arrangements should be made for this. So viewed from a humanitarian standpoint I do not think that there is any objection in passing such a measure. Health is an ornament to any civilised country.

The third view with regard to this measure is that it is one of the most important functions of a civilised Government. As I observed a little while ago the conditions of labour some twenty years ago might have been quite helpless without any organisation. Now we find that labour is slowly but surely coming to the front.

As a result of this rising power of labour, we find unpleasant situations arising, for instance, very often strikes break out. In order to meet the strike, the employers have got the weapon, namely, wage cuts and then there is what is called industrial disturbance in the land. So, Sir, in order to maintain industrial peace in the land, the Government as the supreme authority in the State has to intervene and pass legislation.

I do not share in optimism of those gentlemen who find in this measure a magic wand that will convert our State of Travancore into the comfortable garden of Eden. That is not going to improve conditions. So many other difficulties are in the way. I do not at the same time share the pessimism of those captains of industry the employers—who find in the Bill the cause of utter ruination and spoilation. That is not going to injure the employers. Of course, one of the Honourable Members said this will increase the cost of industry. True. As time goes on, the cost of industry will come down and that will be compensated in that direction. That is no reason why we should condemn a very important and useful measure like the Factories Bill. So, Sir, I commend such an important and useful measure like this to the acceptance of the whole House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I am very pleased and indeed I am very thankful that the Bill has had general support from all quarters of the House. I think all that I need now say is that I shall not take any more time of the House, for I trust that the principle of the Bill is accepted.

DEPUTY PRESIDENT The question before the House is that this House do affirm the principle of the Bill.

The question was put and the motion carried.

The Secretary then read the title of the Bill "The Travancore Factories Bill".

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the Bill be referred to a Select Committee consisting of—

Messrs :

1. Sadasya Tilakan T. K. Velu Pillai
2. P. K. Narayana Pillai
3. K. A. Narayana Pillai
4. K. Kunjukrishna Pillai
5. K. C. Abraham
6. K. C. Karunakaran
7. John Whitely Tolson
8. A. S. Damodaran Asan
9. P. Chidambaram Pillai
10. K. Mahomed
11. N. John Joseph
12. E. V. Krishna Pillai
13. K. Sankaran
14. M. L. Janardanan Pillai
15. P. S. Mahomed

to report within four months.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

DEPUTY PRESIDENT: Does the House agree to this Select Committee being formed?

No objection was raised for a few seconds when, Mr. K. R. Elenkath stood up.

MR. K. R. ELENKATH (*Kalkulam I*): Sir, I beg to move—

DEPUTY PRESIDENT: That is why I put the question. I asked very definitely whether there was any objection. Now the member rises and says he has something to say. As a special case, however, I am prepared to allow that.

MR. K. R. ELENKATH (*Kalkulam I*): I beg to move that Mr. Patom Thanu Pillai be also nominated as a member in the Select Committee.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): I second it.

DEPUTY PRESIDENT : Has the Law member any objection ?

No objection having been raised, Mr. Thanu Pillai's name was added to the Committee and the motion for the Select Committee was put and carried.

The Select Committee was appointed to report within four months.

THE TRAVANCORE TRADE UNIONS BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I rise to introduce the Travancore Trade Unions Bill. It has been published in the Gazette with a statement of objects and reasons and I now beg to move that the Bill be read in the Assembly.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I shall now briefly explain the principle involved in this Bill. In the debates on the Factories Bill, there was ample evidence of some unrest amongst labour in Travancore. And it may also be quite right to presume that there has been a desire for collective and concerted action. In fact, labour seems to have begun to organise itself. As the Whitley Commission has stated in their report,—

“ It is in the power to combine that labour has the only effective safeguard against exploitation and the only lasting security against inhuman conditions.”

It is therefore not surprising that labour has begun to organise itself into Labour Associations and Conferences in the land. These organisations, if taken in hand in due time, and given a definite status and responsibility will turn to the right directions and can prove useful to themselves and to society in general in the matter of securing good wages, better conditions of labour and the like ; and so they may tend to the general peace and prosperity of the land. If, however, left adrift, these Associations may prove to be even dangerous to the society by being made, for example, as the propagation ground of communistic ideas or being made the instruments of political agitation as elsewhere. It is therefore necessary in the interests of society in general and of labour in particular that these associations should be given some definite status as well as responsibility. Corresponding to the labour associations there may be on the employers' side employers' associations called Chamber of Commerce, Employers' Federation and the like. This Bill proposes to deal with both classes of associations viz., Associations representing the employees' interests and Associations representing the labour interests and the Trade Unions dealt within this Bill will include both these classes.

I would refer the Honourable Members to the definition of the expression “ Trade Unions ” contained in clause 2, sub-clause (h) :

- (h) “ Trade Union ” means any combination, whether temporary or permanent formed primarily for the purpose of regulating the relations between workmen and employers, or between workmen and workmen or between employers and employers, or for imposing restrictive conditions on the conduct of any trade or business, and includes any federation of two or more Trade Unions ”.